

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, SEPTEMBER 10, 1990  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:01 p.m. The meeting was adjourned by Mayor O'Connor at 6:18 p.m. into Closed Session on Tuesday, September 11, 1990, at 9:00 a.m. in the twelfth floor conference room to discuss pending litigation and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

Sep-10-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Sep-10-1990

ITEM-10: INVOCATION

Invocation was given by Reverend William Lentsch of  
Clairemont Church of the Nazarene.

FILE LOCATION: MINUTES

Sep-10-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Pratt.

FILE LOCATION: MINUTES

Sep-10-1990

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

- 7/2/90
- 7/3/90
- 7/9/90
- 7/10/90
- 7/16/90
- 7/17/90

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A030-034).

MOTION BY PRATT TO APPROVE THE MINUTES. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-31: (R-91-386) ADOPTED AS RESOLUTION R-276386

Declaring September 13, 1990, "Child Abuse Prevention Foundation Day" in honor of the organization's continued commitment to the youth of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A034-075.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Sep-10-1990

ITEM-32: (R-91-605) ADOPTED AS RESOLUTION R-276387

19900910

Welcoming a group of approximately 6 Cub Scouts accompanied by their Den leader, Debbie Green. This group will arrive at approximately 3:30 p.m.  
(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A146-201.)

MOTION BY McCARTY TO ADOPT A RESOLUTION ACKNOWLEDGING THE COMPLETION OF THE REQUIREMENT FOR THE CONSTITUTION PATCH.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: GRANTED THE REQUEST FOR A HEARING ON  
OCTOBER 16, 1990

Matter of the request of Alfred C. Strohlein, for a hearing of an appeal from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance Case-90-3022, which requests an early

release from the Single-Family Neighborhood Protection Ordinance (ERSFNPO), which was adopted by the City Council on August 7, 1988. The ordinance restricts the replacement of single-family residences in multi-family zones. The applicant is requesting an Early Release from this restriction to determine if the property at 2058 Reed Avenue is located within a single-family neighborhood. The subject property is further described as Lots 25 & 26, Block 274, Pacific Beach Map-697 & 854, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area. (ER-90-3022. District-6.)  
A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION:     ZONE ERSFNPO Case ER-90-3022

COUNCIL ACTION:    (Tape location: A076-083.)

MOTION BY HENDERSON TO GRANT THE REQUEST FOR A HEARING BASED ON THE CITYWIDE SIGNIFICANCE OF SAVING SINGLE-FAMILY RESIDENCES.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-34:         DENY REQUEST FOR A HEARING

Requests of Dale Ness Eggers, for a hearing of appeals from the decision of the Planning Commission in granting:

1. Coastal Development Permit CDP-89-1014 (Sunset Cliffs House 3) to construct a single-family house with a detached garage. No variances are requested as part of this application. The subject property is located on Sunset Cliffs Boulevard between Adair Street and Osprey Street and is more particularly described as Parcel 3, Map-11610, being a division of Lots 21 and 22 in Block 11 of Sunset Cliffs, in Zone R1-5000 within the Peninsula Community Plan area.
2. Coastal Development Permit CDP-89-1126 (Sunset Cliffs House 2) to construct a single-family house with a detached garage. No variances are requested as part of this application. The subject property is an 11,058-square-foot lot and is located on Sunset Cliffs Boulevard between Adair Street and Osprey Street and is more particularly described as Parcel 2, Map-11610,

being a division of Lots 21 and 22 in Block 11 of  
Sunset Cliffs in Zone R1-5000 within the Peninsula  
Community Plan area.

(CDP-89-1014 & CDP-89-1126. District-2.)

A motion granting or denying the request for a hearing of  
the appeal.

FILE LOCATION: PERM - CDP-89-1014 & CDP-89-1126

COUNCIL ACTION: (Tape location: A084-089.)

MOTION BY ROBERTS TO DENY THE REQUEST FOR A HEARING. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-35: DENY REQUEST FOR A HEARING

Matter of the request of Alfred Strohlein, for a hearing of  
an appeal from the decision of the Planning Commission in  
granting Conditional Use Permit CUP-89-1120, Planned  
Commercial Development Permit PCD-89-1120 and Coastal  
Development Permit CDP-89-1120, to develop a 1.43-acre site  
with a 77,989-square-foot mixed-use project with a

587-space, 5 1/2-level parking structure. Partial  
demolition and renovation of the existing Walker Scott  
Building is proposed. Major uses would include a  
1,400-seat, six-plex movie theater, restaurants, retail,  
health club and office uses. The subject property is  
located on the east side of Bayard Street between Garnet  
Avenue and Hornblend Street and is more particularly  
described as Lots 1-6, and 27-40, Block 224, Pacific Beach,  
Maps-697 and 854, in Zone C-1 within the Pacific Beach  
Community Plan area.

(CUP/PCD/CDP-89-1120. District-6.)

A motion granting or denying the request for a hearing of  
the appeal.

FILE LOCATION: PERM - CUP/PCD/CDP-89-1120

COUNCIL ACTION: (Tape location: A091-106.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second  
by McCarty. Passed by the following vote: Wolfsheimer-nay,  
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay,  
Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-36: GRANT REQUEST FOR A HEARING

Matter of the request of Michael C. Russell and Barbara Huba, for a hearing of an appeal from the decision of the Planning Commission in granting Coastal Development Permit CDP-89-1260 to construct an additional two-bedroom living unit and garage totaling 1,410 square feet to an existing 1,151-square-foot home for a combined total of two units totaling 2,561 square feet. The subject property, a 5,289-square-foot lot, is located at 7337 Fay Avenue, on the east side of Fay Avenue, north of Genter Street, west of Girard Avenue, and south of Pearl Street and is more particularly described as Lot 6 except the easterly 75 feet, Lone Pine, Map-2819, in Zone R-3000 (Multiple-Family Residential, one unit per 3,000 square feet of lot area) within the La Jolla Community Plan area.  
(CDP-89-1260. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CDP-89-1260

COUNCIL ACTION: (Tape location: A107-113.)

MOTION BY WOLFSHEIMER TO GRANT THE REQUEST FOR A HEARING BASED ON CITYWIDE SIGNIFICANCE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-91-5 Rev.1) ADOPTED AS ORDINANCE O-17518 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.1901, to delete the Department of Intergovernmental Relations and creating in lieu thereof a new Department of Legislative Services; amending Section 22.0101, Rule 15, relating to Committee Staff; amending Section 22.1801 relating to City Departments; and repealing Sections 22.2301 and 22.2302 relating to the Department of Legislative Analyst.  
(Introduced on 7/31/90. Council voted 7-0. District 1 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A417-441.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-nay.

\* ITEM-51: (O-91-24) ADOPTED AS ORDINANCE O-17519 (New  
Series)

Amending Chapter V, Article 9, Division 1, of the San Diego  
Municipal Code, by amending Section 59.0104, relating to  
Activities Prohibited within San Diego Jack Murphy Stadium  
Parking Facility, to require any person who brings a beer  
keg into the Stadium parking facility to obtain a permit  
from the Stadium Manager.

(Mission Valley Community Area. District-5. Introduced on  
8/6/90. Council voted 7-0. Districts 1 and 4 not  
present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A417-441.)

CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-52: (O-91-14) ADOPTED AS ORDINANCE O-17520 (New Series)

Amending Chapter VIII, Article 6, Division 2, of the San  
Diego Municipal Code by amending Section 86.2013, relating  
Permit Fees, to remove Residential Permit Parking fees from  
the Municipal Code and allow the fees to be set by Council  
Resolution.

(Districts-2 and 7. Introduced on 7/30/90. Council voted  
8-0. District 1 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A444-B068.)

MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-53: (O-90-212) ADOPTED AS ORDINANCE O-17521 (New  
Series)

Incorporating approximately 12.5 acres located on the north  
and south sides of Smythe Avenue, between Athey Avenue and  
Via de la Melodia, into Zone R-3000.  
(Case-89-0414. San Ysidro Community Area. District-8.  
Introduced on 8/7/90. Council voted 5-0. Districts 1, 4,  
5, and 6 not present.)

FILE LOCATION: ZONE - ORD. NO.

COUNCIL ACTION: (Tape location: A417-441.)  
CONSENT MOTION BY PRATT TO DISPENSE WITH THE READING AND ADOPT.  
Second by Filner. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-54: (O-91-9 Rev. 1) RE-INTRODUCED, TO BE ADOPTED  
SEPTEMBER 24, 1990

Enacting the Centre City San Diego Interim Development and  
Design Ordinance.  
(Districts 2 and 8. Introduced as amended on 7/23/90.  
Council voted 7-0. Districts 1 and 6 not present.  
Reintroduced on 8/6/90. Council voted 7-0. Districts 1  
and 4 not present.)

FILE LOCATION: LAND - Centre City San Diego Community Plan

COUNCIL ACTION: (Tape location: A417-441.)  
CONSENT MOTION BY PRATT TO RE-INTRODUCE THE ORDINANCE. Second  
by Filner. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-55: (O-91-35) ADOPTED AS ORDINANCE O-17522 (New  
Series)



Repealing Ordinance No. O-17481 (New Series), entitled "An Ordinance Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by Amending Section 103.0602 Relating to the North City West Planned District." (State Route 56 and Carmel Valley Restoration and Enhancement Project.)  
(North City West Community Area. District-1. Introduced on 8/7/90. Council voted 6-1. District 7 voted nay. Districts 1 and 4 not present.)

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: B070-120.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT.

Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

\* ITEM-56: (O-91-38) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 24, 1990

Introduction of an Ordinance establishing a one-hour parking meter zone on the south side of "K" Street between Seventh Avenue and Eighth Avenue, effective from 8:00 a.m. to 6:00 p.m., Sundays and certain holidays excepted.  
(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Farmer's Bazaar located in the block surrounded by "K" Street to the north, "L" Street to the south, Seventh Avenue to the west and Eighth Avenue to the east, draws many customers daily, thus creating a demand for on-street parking. The owner of Farmer's Bazaar has requested that a one hour parking metered zone be established on the south side of "K" Street between Seventh Avenue and Eighth Avenue. Field inspections by traffic engineers disclosed that the average parking occupancy is approximately 100 percent, and the average stay per vehicle is below one hour. For that reason, we recommend that the one-hour parking meter zone be established as requested.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B467-472.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-57: (O-91-40) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 24, 1990

Introduction of an Ordinance establishing a two-hour parking meter zone on the west side of Kansas Street, between El Cajon Boulevard and the first alley south of El Cajon Boulevard, effective between the hours of 8:00 a.m. to 6:00 p.m., Sunday and certain holidays excepted. (North Park Commercial Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed two-hour parking meter zone on Kansas Street was petitioned by property owners representing 100 percent of the affected frontage. Observations have shown that the existing parking restrictions in adjacent areas are impacting the subject street. Many of the other streets in the area have two-hour parking meter restrictions, and therefore, a reasonable level of enforcement is expected at the proposed area. We recommend that this request for a two-hour parking meter zone be implemented.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B467-472.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-91-307) ADOPTED AS RESOLUTION R-276388

Accepting the low bid of \$49,919.60 and awarding a contract to Walter H. Barber and Son, Inc., for the construction of storm drains on Riviera Drive from Edge Cliff Drive to La Cima Drive; authorizing the expenditure of an amount not to exceed \$64,000 from Fund No. 30245, CIP-11-247, Riviera Drive Storm Drains, to supplement funds previously authorized by Resolution R-275596, adopted on April 30, 1990 (in the amount of \$51,000 for a total of \$115,000) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to

transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1422/90)  
(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The existing drainage pipes and outfall systems are badly deteriorated at three locations on Riviera Drive. Some sections of drains have been temporarily repaired by City forces to prevent erosion to slopes and potential street collapse. This project will replace existing deteriorated metal pipe drainage systems with 18-inch RCP, cleanouts, etc., at Riviera Drive and Edge Cliff Drive, at Riviera Drive and La Cima Drive, and on Riviera Drive approximately 300 feet north of La Cima Drive. This project will prevent erosion to slopes and reduce maintenance.

Bids were opened on May 25, 1990, with the low bid of \$49,919.60 from Walter H. Barber and Son, Inc. This bid was the lowest of three bids received from 31 bid packages issued and was 51.3 percent over the engineer's estimate of \$33,000 but is under the total budget of the project. The next two low bids were from H. S. Excel Corporation and Roca Construction Company for \$51,300 and \$56,642, respectively. After review of these bids, it is believed that readvertising would not produce lower bids. It is recommended that this contract be awarded to Walter H. Barber & Son, Inc.  
Aud. Cert. 9100176.

FILE LOCATION: cont - Walter H. Barber and Son, Inc.  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-91-41) ADOPTED AS RESOLUTION R-276389

Awarding contracts to Arenson Office Furniture and Express Computer Supply for furnishing folding tables and chairs, stacking chairs, and table and chair dollies, as may be required for a period of one year beginning July 1, 1990 through June 30, 1991, for an estimated cost of \$74,354.28, as follows: (BID-D1598/90)

1. Arenson Office Furniture for Section I - Folding

Tables; and Section V - Table and Chair Dollies, with

options to renew the contract for four additional one year periods with price increases not to exceed ten percent of prices in effect at the end of each prior contract period.

2. Express Computer Supply for Section II - Lightweight Folding Tables; Section III - Folding Chairs; and Section IV - Stacking Chairs, with options to renew the contract for four additional one year periods with price increases not to exceed eight percent of prices in effect at the end of each prior contract period.

FILE LOCATION: CONT - PURCHASE Arenson Office Furniture and Express Computer Supply CONFY91-2

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-91-42) ADOPTED AS RESOLUTION R-276390

Awarding a contract to Macho Tire Company for furnishing approximately 600 steel belted tire casings, as may be required for a period of one year beginning October 1, 1990 through September 30, 1991, for an estimated cost of \$43,758, including tax and terms, with options to renew the contract for three additional one year periods with price escalation not to exceed five percent of prices in effect at the end of each prior contract period. (BID-I1638/90)

FILE LOCATION: CONT - PURCHASE Macho Tire Company CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-91-57) ADOPTED AS RESOLUTION R-276391

Awarding contracts for furnishing tires and tubes, as may be required for a period of one year beginning September 1, 1990 through August 31, 1991, for a total cost of \$547,197.70, including tax and terms, as follows: 1) Dapper Tire Company for Group I - Radial/Tubeless, Passenger Car/Compact Truck; 2) General Tire Service for Group II - Radial, Police High Speed, and Group VI - Miscellaneous Fire Department Truck Tires; 3) Talin Tire Inc., for Group III - Radial Bias Tube and Tubeless, Light Trucks and Group V - Bias/Tube, Off Road Tires; 4) Geo. F. Kennedy, Inc., dba Kennedy's For Tires, for Group IV - Radial/Bias Tube and Tubeless, Medium/Heavy Duty Truck; 5) Macho Tire Co. for Group VII - Inner Tubes. (BID-I1617/90)

FILE LOCATION: CONT - PURCHASE Dapper Tire Company, General Tire Service, Talin Tire Inc., Geo. F. Kennedy, Inc., dba Kennedy's for Tires, Macho Tire Co. CONFY91-5

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-91-58) ADOPTED AS RESOLUTION R-276392

Awarding contracts for furnishing recapping of truck tires, as may be required for a period of one year beginning August 1, 1990 through July 31, 1991, with options to renew the contracts for two additional one year periods, as follows: (BID-I1650/91)

1. George F. Kennedy Inc. for Sections I, II, IV and V, Medium Duty Truck Tires, Heavy Duty Truck Tires, Recapping - Fire Department; and Refuse Packing Casings, for a total estimated cost of \$206,598.40; with option year increases not to exceed 7 percent of prices in effect in each prior period.
2. Talin Tire Inc. for Section III, Off Road, for a total estimated cost of \$6,472.22, with option year increases not to exceed 5 percent of prices in effect in each prior period.

FILE LOCATION: CONT - Purchase George F. Kennedy Inc. and

Talin Tire Inc. CONTFY91-2

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-91-56) ADOPTED AS RESOLUTION R-276393

Awarding a contract to Enseco-California Analytical Lab for furnishing analysis of sewage and ocean sediment samples from the Pt. Loma Wastewater Treatment Plant for Dioxin, as may be required for a period of one year beginning September 1, 1990 through August 31, 1991, for an estimated cost of \$55,500. (BID-B1587/90)

FILE LOCATION: CONT - PURCHASE Enseco-California Analytical Lab CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-91-45) ADOPTED AS RESOLUTION R-276394

Awarding a contract to Whitewater Trout Co. for furnishing approximately 54,400 lbs. of live Rainbow Trout, as may be required for a period of one year beginning October 1, 1990 through September 30, 1991, for an estimated cost of \$115,328, with options to renew the contract for four additional one year periods, with price increases subject to market conditions. (BID-I1640/90)

FILE LOCATION: CONT - PURCHASE Whitewater Trout Co. CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-91-293) ADOPTED AS RESOLUTION R-276395

Awarding contracts to Bob's Gradall, Rutledge Gradalls, San Diego Concrete Cutting Co., Inc., and Penhall Company for the rental of three specific types of operated construction equipment for a period of one year beginning August 1, 1990 through July 31, 1991, for an estimated cost of \$31,200, including tax and terms, for the primary contracts only, as follows: (BID-E1641/91)

1. Bob's Gradall for the primary contract for Item 1, with options to renew the contract for four additional one year periods, with increases not to exceed five percent of prices in effect in the prior period.
2. Rutledge Gradalls for the secondary contract for Item 1, with options to renew the contract for four additional one year periods, with increases not to exceed six percent of the prices in effect in the prior period.
3. San Diego Concrete Cutting Co., Inc. for the primary contract for Item 3, with options to renew the contract for four additional one year periods, with increases not to exceed ten percent of the prices in effect in the prior period.
4. Penhall Company for the secondary contract for Item 3, with options to renew the contract for four additional one year periods, with increases not to exceed six percent of the prices in effect in the prior period.

FILE LOCATION: CONT - PURCHASE Bob's Gradall, Rutledge Gradalls, San Diego Concrete Cutting Co., Inc., and Penhall Company CONFY91-4

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-91-59) ADOPTED AS RESOLUTION R-276396

Awarding contracts for the rental of asphalt grinders and motor graders, as may be required for a period of one year beginning August 1, 1990 through July 31, 1991, as follows: (BID-E1639/90)

1. Mustang Equipment Co., for an estimated contract total of \$25,900 for the primary contract for Item 1 - Asphalt Grinder, with options to renew the contract for four additional one year periods, with option year price increases not to exceed the prices in effect for the previous contract period by more than 12 percent.
2. Zagami, Inc., dba Clairemont Equipment Co., for an estimated contract total of \$22,300, for the primary contract for Item 2 - Motor Grader, with options to renew the contract for four additional one year periods, with option year price increases not to exceed the prices in effect for the previous contract period by more than 10 percent.
3. Hertz Equipment Rental, for the secondary contract for Item 2, with options to renew the contract for four additional one year periods, with option year price increases not to exceed the prices in effect for the previous contract period by more than 7 percent.

FILE LOCATION: CONT - PURCHASE Mustang Equipment Co.,  
Zagami, Inc., dba Clairemont Equipment Co.,  
and Hertz Equipment Rental CONFY91-3

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-91-292) ADOPTED AS RESOLUTION R-276397

Rescinding the contract with Noland Paper Company and accepting the low bid of Butler Paper for furnishing bond xerographic high speed copy paper, Items 3 and 4, for an estimated cost of \$24,088.35 for six months, including tax and terms, with an option to renew the contract for an additional six-month period, with price escalation not to exceed 6 percent of prices in effect at the end of the contract period. (H1407/90)

FILE LOCATION: CONT - PURCHASE Butler Paper  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed



by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-91-54) ADOPTED AS RESOLUTION R-276398

Awarding contracts to OCE'-USA, Inc. and Osam of California, Inc. for the purchase of four microfilm reader-printers, for a total cost of \$57,823.19, including tax, as follows: (BID-H1417/90)

1. OCE'-USA, Inc. for Item 1 - two 35 MM Microfilm Reader-Printers.
2. Osam of California, Inc. for Item 2 - two 16 MM Microfilm Reader-Printers.

Authorizing the expenditure of an amount not to exceed \$57,823.19 from Fund No. 41300, Department No. 1300, Organization No. 2112, Object Account No. 6010, and Job Order No. 1236, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
Aud. Cert. 9100148.

FILE LOCATION: CONT - PURCHASE OCE'-USA, Inc. and Osam of California, Inc. CONTFY91-2

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-91-291) ADOPTED AS RESOLUTION R-276399

19900910

Inviting bids for the Improvement of Seventh Avenue and Beech Street on Work Order No. 037461; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$58,000 from Fund No. 41500 - Water Utility Operating Fund, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess

budgeted funds, if any, to the appropriate reserves.

(BID-K1722/91)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The water main located along Seventh Avenue between Ash Street and Beech Street failed, causing damage and local settlement to the street and sidewalk. The Water Utilities Department has repaired the main; however, they have requested that the Engineering and Development Department prepare plans and specifications and manage a project to repair the damage caused by the break. This project will replace the curb, gutter, sidewalk and street sections that have settled, as well as fill and compact any voids present.

Aud. Cert. 9100125.

WU-P-90-200.

FILE LOCATION: W.O. 037461 CONT - ROCA Construction, Inc.  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-91-303) ADOPTED AS RESOLUTION R-276400

19900910

Inviting bids for the Removal of Architectural Barriers for the Handicapped - Contract B on Work Order No. 119366; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$75,250 from Fund No. 79522, CIP-52-461.0, Architectural Barrier Removal - DIF Funded, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1747/91)

(Mission Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The project will install pedestrian ramps at various locations in the community area of Mission Beach. These locations were selected to provide access to public facilities and parks, and coordinated with the Committee for Removal of Architectural Barriers (CRAB).

Aud. Cert. 9100145.

FILE LOCATION: W.O. 119366 CONT - B-1 Enterprise Corporation  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-91-294) ADOPTED AS RESOLUTION R-276401

19900910

Inviting bids for the Western Hills Neighborhood Park - Improvements on Work Order No. 119329; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance the project with tax exempt securities; authorizing the City Auditor and Comptroller to transfer \$4,975 from PSD No. 11420, and \$2,375 from PSD No. 13000 to CIP-29-689, Western Hills Neighborhood Park - Improvements; authorizing the expenditure of an amount not to exceed \$35,350 from CIP-29-689, Western Hills Neighborhood Park - Improvements, all PSD Funds, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K1736/91)

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Western Hills Neighborhood Park is located at 4810 Kane Street in Clairemont. This project will provide drainage improvements to eliminate an erosion problem and add a wall seat near the multi-purpose courts.

Aud. Cert. 9100099.

FILE LOCATION: W.O. 119329 CONT - ROCA Construction, Inc.  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-91-304) ADOPTED AS RESOLUTION R-276402

19900910

Inviting bids for the Torrey Pines Road Slope Reconstruction on Work Order No. 119135; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities; authorizing the expenditure of an amount not to exceed \$234,000 from Proposition "A" Fund No. 30300, CIP-52-329.0, Torrey Pines Road Slope Reconstruction, for

said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1746/91)  
(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The existing slope north of Torrey Pines Road between Prospect Place and Coast Walk is very steep and subject to surficial sloughing. This sloughing can cause damage to the road and sidewalk at the top of the slope, as well as to private property at the toe of the slope. This project will provide stabilization by means of a pile retaining wall.  
Aud. Cert. 9100160.

FILE LOCATION: W.O. 119135 CONT - P & P Enterprises, Inc.  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-91-297) ADOPTED AS RESOLUTION R-276403

19900910

Inviting bids for the Construction of Traffic Signal and

Street Lighting Systems at Ashford Street and Beagle Street on Work Order No. 119505; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of not to exceed \$91,000 from Proposition "A" Fund No. 30300, CIP-68-010.0, Construct Top 10-15 Prioritized Traffic Signals, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-010.0. (BID-K1748/91)

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install a traffic signal system provides for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Traffic signal features include emergency vehicle preemption equipment.

Aud. Cert. 9100081.

FILE LOCATION: W.O. 119505 CONT - LEKOS Electric, Inc. CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-116: (R-90-1906) CONTINUED TO OCTOBER 15, 1990

Vacating Cherokee Avenue south of Bellingham Avenue and adjacent to Lot 4 of Whoopie Villas and Block 119 of City Heights Map-1007, under the procedure for the summary vacation of streets and public service easements; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the easements reserved herein are in, under, over, upon, along and across Cherokee Avenue.

(Mid-City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The vacation of Cherokee Avenue is in accordance with a decision made by the Transportation and Land Use Committee on July 14, 1986. The decision was a result of an appeal of a denial by the City Engineer for an Encroachment Permit to fence and landscape segments of the westerly half of Cherokee Avenue. The Committee authorized a temporary encroachment for the landscaping, subject

to the applicant's petitioning for a street vacation. The proposed vacation is located in the Mid-City Planned District in an MR-3000 Zone. The vacation totals approximately 11,500 square feet and would increase the residential entitlement of the adjacent properties to a total of four units.

No increase in density is anticipated for the property to the west, since the property is fully developed with 49 condominium units. The property to the east totals approximately 1,500 square feet and is presently developed with one single-family residence. Under the MR-3000 Zone, this property is limited to

a maximum of four units regardless of lot size. Therefore, no increase in density will result from the vacation. There are no redevelopment plans for this property at this time, and any redevelopment of this property will require a Mid-City Development Permit. The Planning Department has no objection to the proposed vacation, and the Planning Commission recommended approval on August 11, 1988, by a 4-0 vote. The subject right-of-way extends southerly from Bellingham Avenue for approximately 240 feet to its terminus at the CalTrans right-of-way for Interstate 805. The right-of-way is unimproved but contains public utilities for which easements are to be reserved.

Previous vacation actions have reduced the right-of-way width from 80 feet to 50 feet. Due to the adverse slopes, utilization of this right-of-way is infeasible and is, therefore, precluded from development for street purposes. The right-of-way provides only secondary access on paper to the two abutting properties which have improved frontages on Bellingham and Cherokee Avenue to the north. The right-of-way is, therefore, not required for access or future traffic circulation. Staff review has indicated that the right-of-way to be vacated is no longer required for present or prospective use and may be summarily vacated.

FILE LOCATION:     STRT J-2748

COUNCIL ACTION:   (Tape location: C087-110.)

MOTION BY HARTLEY TO CONTINUE FOR THIRTY DAYS AT THE REQUEST OF ONE OF THE PROPERTY OWNERS FOR TIME TO CONSULT AN ATTORNEY.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-117: (R-91-186) ADOPTED AS RESOLUTION R-276404

Granting an extension of time to May 16, 1992 to Otay Partners - I & II, subdivider, to begin the improvements required in Empire Center Parcel 1.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into a Deferred Improvement Agreement with Otay

Partners - I & II, a California limited partnership. The agreement provided for the deferral of construction of public improvements for Empire Center Parcel 1 for two years. The agreement expired May 16, 1990. The subdivider has requested an extension of time to May 16, 1992 in which to begin the required improvements. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Empire Center Parcel 1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-118: (R-91-259) ADOPTED AS RESOLUTION R-276405

Authorizing the execution of an amendment to the Subdivision Improvement Agreement (deferred improvement development) for Empire Center Parcel 2, to provide for the substitution of Robinhood Homes, Inc., and Otay Partners I and II, for Robinhood Homes, Inc.; Barry J. Ross and Marlene L. Ross; Robert E. Casey, Jr., and Lisa L. Casey; John D. Casey and Susan E. Casey; Robert E. Casey and Patricia F. Casey; and Otay Partners I and II, as subdividers; declaring that the public improvements are to commence by May 16, 1992, as provided by the amendment to the Subdivision Improvement Agreement (deferred improvement development).

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988 the City entered into a Deferred Improvement Agreement with Robinhood Homes, Inc., Barry J. Ross and Marlene L. Ross, Robert E. Casey,

Jr. and Lisa L. Casey, John D. Casey and Susan E. Casey, Robert E. Casey and Patricia F. Casey, and Otay Partners I and II. This agreement provided for the deferral of construction of public improvements for Empire Center Parcel 2. The agreement expired on May 16, 1990. The property is now owned by Robinhood Homes, Inc., a California Corporation, and Otay Partners I and II, a California limited partnership. The new owners have

signed an amended agreement to assume all of the obligations of the original subdividers. The amended agreement also provides for an extension of time to May 16, 1992. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Empire Center Parcel 2  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-119: (R-91-185) ADOPTED AS RESOLUTION R-276406

Authorizing the execution of amendments to the Subdivision Improvement Agreements (deferred improvement development) for Empire Center Parcels 3 through 6, to provide for the substitution of Robinhood Homes, Inc.; Barry J. Ross and Marlene L. Ross; Robert E. Casey, Jr., and Lisa L. Casey; John D. Casey and Susan E. Casey; and Robert E. Casey and Patricia F. Casey, as subdividers; declaring that the public improvements are to commence by May 16, 1992, as provided by the amendments to the Subdivision Improvement Agreements (deferred improvement development).  
(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On May 16, 1988, the City entered into four Deferred Improvement Agreements with Robinhood Homes, Inc., Barry J. and Marlene L. Ross, Robert E. Jr. and Lisa L. Casey, John D. and Susan E. Casey, and Robert E. and Patricia F. Casey. These agreements provided for the deferral of construction of public improvements for Empire Center Parcels 3 through 6 for two years. The agreements



expired May 16, 1990. The property is now owned by Robinhood Homes, Inc., a California corporation. The new owner has signed amended agreements to assume all of the obligations of the original subdividers. The amended agreements also provide for extensions of time to May 16, 1992 in which to begin the required improvements. The amended agreements and time

extensions are in accordance with Council Policy 600-21. It is recommended that the time extensions be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Empire Center Parcels 3, 4, 5, & 6  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-120: (R-91-196) ADOPTED AS RESOLUTION R-276407

Vacating the City's interest in an unneeded public utility easement affecting a portion of Lots 3 and 11, Block 4 of Nettleship-Tye Track No. 1, Map-1931, pursuant to Section 8300 et seq. of the Streets and Highways Code. (Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: An application from the affected property owner has been received by the Engineering & Development Department for abandonment of a portion of a public utility easement that encumbers the property north of Garnet Avenue, west of Mission Boulevard and east of Crystal Drive in the Pacific Beach area. The easement was acquired by the City of San Diego at no cost by map. The easement has been reviewed by all affected City departments and all have concluded there are no present or prospective public needs. Also, per Council Policy 600-15, the abandonment has been reviewed by the Pacific Beach Community Planning Committee, and they have no objection to the abandonment. Therefore, abandonment by resolution is recommended.  
WU-PR-91-016.

FILE LOCATION: DEED F-5354 DEEDFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-121: (R-91-337) ADOPTED AS RESOLUTION R-276408

Vacating the City's interest in an unneeded sewer easement affecting Parcels 15, 17, 22 and 26 of Parcel Map PM-15494, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Engineering & Development Department has received an application for abandonment of a sewer easement from the owners of Parcels 15, 17, 22 and 26 of Parcel Map PM-15494. The easement was acquired in 1987 without cost to the City of San Diego. The property is located east of I-5, south of Del Mar Heights Road between McGuire and Townsgate Drives off of El Camino Real. The application has been reviewed by affected City Departments and it has been determined that the easement has never been used and that there is no present or future need to retain it. Also, per Council Policy 600-15, the abandonment has been reviewed by the North City West Community Group and there is no objection to the abandonment. It is therefore recommended that a Resolution of Abandonment be adopted by the City Council.

FILE LOCATION: DEED F-5355 DEEDFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-122: (R-91-283) ADOPTED AS RESOLUTION R-276409

Proclaiming August 6, 1990 as "Pamela Stevens Day" in recognition of her considerable contributions to the City of San Diego and the community of Mira Mesa, and expressing appreciation for her continuing service to the community.  
(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-123: (R-91-332) ADOPTED AS RESOLUTION R-276410

Accepting the generous gift of \$36,060 offered by the San Diego Community Foundation to assist the City in establishing a grid system for a horticultural survey of Balboa Park; commending the San Diego Community Foundation for its act of civic generosity and expressing to the San Diego Community Foundation a debt of public gratitude; engaging the services of the San Diego Urban Corps to establish the grid system for a horticultural survey of Balboa Park at a cost not to exceed \$36,060.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1990 the City of San Diego received a check for the sum of \$36,060 from the San Diego Community Foundation. The gift was to assist the City and Balboa Park staff in conducting a horticultural survey of Balboa Park. The current Balboa Park inventory, while fairly thorough and accurate with respect to content, is based on a somewhat inaccurate grid system. This system is based on Lambert coordinates and is drawn on a vintage 1972 Balboa Park map. Location of specific plants is done by referencing grid intersection points to observe physical features such as buildings and street corners. To increase the accuracy of an inventory system and to facilitate updating the collection, it is imperative to have a more accurate grid system. Basically, Balboa Park would be surveyed and permanent markers located at grid line intersection points. The goal would be to duplicate the existing map grid system on the ground throughout the park. It is the Manager's recommendation that the San Diego Urban Corps be engaged to provide the service as outlined above. They will be surveying selected portions of Balboa Park and installing permanent grid point markers in the ground. Locations of the grid points will be established on a mapping system. Members of the Urban Corps will receive training in land surveying, plant identification and map reading.  
Aud. Cert. 9100141.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-124: (R-91-270) ADOPTED AS RESOLUTION R-276411

Accepting the generous gift of \$29,095 from the San Diego Community Foundation for the renovation and modernization of the Balboa Park Carillon; commending the San Diego Community Foundation for its civic generosity; authorizing the City Manager to engage the services of the Mass-Rowe Company for the requisite renovation and modernization of the Balboa Park Carillon at a cost not to exceed \$29,095.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1990 the City of San Diego received a check for the sum of \$29,095 from the San Diego Community Foundation. This gift is to be used for renovation and modernization of the Balboa Park Carillon. The Balboa Park Carillon was originally donated to the City of San Diego by Dr. Frank Lowe, former member of the Board of Education and Park and Recreation Board. The carillon was built by Mass-Rowe Carillons located in Escondido, California. The sound of the carillon and the Westminster Chimes that strike the time have been heard by millions of visitors to Balboa Park and the nearby zoo. The carillon has become an important part of San Diego's cultural environment and heritage.

The tones produced by the carillon are amplified and projected from the California Tower using special weatherproof loud speakers. Mass-Rowe Carillons currently provides maintenance to the carillon and have been the sole provider of services for the carillon since 1946. The bells will be removed and taken to the Mass-Rowe factory where they will be inspected, cleaned and all wiring and power supplies replaced as required to convert the carillon to present day configurations compatible with computer players. The gift of the San Diego Community Foundation to the City is a part of the recognition of the 75th Diamond Jubilee currently being celebrated in Balboa Park.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-125:

Two actions relative to authorizing Suggestions Awards to the following City employees:

Subitem-A: (R-91-372) ADOPTED AS RESOLUTION R-276412

Ricardo McAfee, Richard Long, and Donald Reed - Waste Management Department - \$3,483.90.

Subitem-B: (R-91-371) ADOPTED AS RESOLUTION R-276413

Norman H. Jones - City Manager - \$50.

Charles V. Svenson - Property Department - \$50.

Donna Klimas - City Treasurer - \$91.94.

James R. Jarvis - Water Utilities Department - \$148.50.

Maria M. LeSire - Water Utilities Department - \$160.

Jack A. Salfen - Water Utilities Department - \$160.

Robert H. Abrahamsen - Water Utilities Department - \$280.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C135-170.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-126: (R-91-346) ADOPTED AS RESOLUTION R-276414

Excusing Mayor Maureen O'Connor from attending the regularly scheduled Council meetings of September 24 and 25, 1990, for the purpose of conducting a City Trade Mission to Tokyo, Japan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-127: (R-91-174) ADOPTED AS RESOLUTION R-276415

Excusing Councilmember Abbe Wolfsheimer from attending the following meetings due to vacation:

1. All regularly scheduled Council meetings of July 23, 24, 30, 31, and August 6, 7, 1990; and special meeting of the Council of July 23, 1990.
2. The regularly scheduled Transportation and Land Use Committee meeting of July 23, 1990.
3. The regularly scheduled Public Facilities and Recreation Committee meetings of July 25, and August 8, 1990.
4. The regularly scheduled Rules Committee meeting of August 1, 1990.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C204-296.)

MOTION BY HARTLEY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-128: (R-91-214) ADOPTED AS RESOLUTION R-276416

Approving the revised Conflict of Interest Code for the San Diego Housing Commission; rescinding the Conflict of Interest Code for the Commission, adopted by Resolution R-223203 on April 2, 1979, as amended.  
(See Housing Commission Report HCR-90-012CC.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-129: (R-91-377) ADOPTED AS RESOLUTION R-276417

Designating the City Manager as the authorized representative in all actions required to apply for a loan from the California State Water Resources Control Board Revolving Fund Loan Program for the construction of wastewater treatment facilities.

CITY MANAGER SUPPORTING INFORMATION: The Federal Clean Water Act has provided for the creation of a State Revolving Fund (SRF) Loan Program. On November 15, 1987, the State Water Resources Control Board approved conversion of California's grant program to the SRF Loan Program. The purpose of the SRF Loan Program is to implement the Federal Clean Water Bond Law of 1984 by assisting in the financing of publicly owned treatment works necessary to prevent water pollution and thereby promote the health, safety, and welfare of the inhabitants of the State.

The State Water Resources Control Board staff have included secondary treatment systems and sludge processing pipelines and processing facilities in the Federal Fiscal Year 1991 State Revolving Fund Loan Program Priority List.  
WU-CWP-91-024.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-130: (R-91-278) ADOPTED AS RESOLUTION R-276418

Establishing a parking time limit of two hours on the east side of San Antonio Avenue between Kellogg Street and Lawrence Street, effective between the hours of 8:00 a.m. and 2:00 p.m., Saturdays, Sundays and certain holidays excepted; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed two-hour parking time limit zone was requested by a petition from the property owners representing 75 percent of the frontage involved. A field observation conducted by Traffic Engineering staff revealed a high rate of parking occupancy. This area is heavily impacted by personnel from the adjacent Navy facilities.

Two-hour parking limitations exist throughout the area, and they receive a very high level of enforcement. We recommend the establishment of the two-hour limit zone.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-131: (R-91-243) ADOPTED AS RESOLUTION R-276419

Establishing a No Stopping, Tow-Away Zone effective between the hours of 4:00 p.m. and 6:00 p.m. (Saturdays, Sundays and Holidays excepted) on the east side of First Avenue between Ash Street and "A" Street.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The afternoon peak hour (4:00 - 6:00 p.m.) part-time parking and stopping restriction with tow-away provision is proposed to relieve traffic congestion on First Avenue between "A" Street and Ash Street. This will be accomplished by removing the parking on the east side of this block of First Avenue during the afternoon peak traffic hours to allow buses to bypass some of the congestion and provide better access to the bus stop at the north end of the block. Presently, this portion of First Avenue is a one-way street, striped for three lanes in the northbound direction with 2-hour time limit parking on the east side. In May, 1990, a peak hour restriction was implemented on the west side of First Avenue between Ash Street and Cedar Street, providing an additional travel lane and easing congestion. This proposed stopping restriction between "A" Street and Ash Street will provide buses easier curb access without blocking one of the travel lanes. This capacity improvement will result in a high benefit at a very low cost and is part of the Transportation Systems Management effort of the City's Mobility Program. Signs indicating the part time parking and stopping restriction with tow-away provision will be posted at the above location. The tow-away provision is needed to prevent blockage of this curb area, and is in accordance with the CVC Section 22651(n) and the San Diego Municipal Code, Sections 81.09 and 86.05. Adjacent property owners were notified, with no objections.



FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-132: (R-91-212) ADOPTED AS RESOLUTION R-276420

Establishing a No Parking, Tow-Away Zone on Tia Juana Street between Willow Road and Virginia Avenue; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Staff's field investigation revealed that many large trucks park along Tia Juana Street between Willow Road and Virginia Avenue on their way to the International Truck Border crossing, creating traffic congestion in the area. Traffic congestion in the area creates many problems, which include:

- Safety hazards to children attending Willow Elementary School due to trucks waiting in line in front of the school.
- Emergency vehicle access is seriously impaired whenever traffic congestion occurs.
- These roads are not designed to handle the existing volumes of truck traffic during peak border crossing hours.
- The police have been detouring trucks in this area for the past several years due to this continuous problem.

Based on the above, we recommend that a "No Parking - Tow Away" zone be established on Tia Juana Street between Willow Road and Virginia Avenue. This proposal is part of an emergency solution to the truck traffic problem in the area. It is anticipated that the "No Parking - Tow Away" zone will provide sufficient area for trucks to line up as they wait to cross the border by giving them the opportunity to form two lines eastbound on Tia Juana Street. This provision will be needed for approximately two years. At that time the new commercial border crossing in Otay Mesa Road is expected to be open and the present commercial border crossing will be closed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-133: (R-91-260) ADOPTED AS RESOLUTION R-276421

Establishing Tia Juana Street, between Willow Road and Virginia Avenue, as a one-way street eastbound; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Staff's field investigation revealed that many large trucks drive along Calle Primera, Willow Road, Camino de la Plaza and Tia Juana Street on their way to the International Truck Border crossing, creating traffic congestion in the area. Traffic congestion in the area creates many problems which include:

- Safety hazards to children attending Willow Elementary School due to trucks waiting in line in front of the school.
- Emergency vehicle access is seriously impaired whenever traffic congestion occurs.
- The police have been detouring trucks in this area for the past several years due to this continuous problem.

Based on the above, we recommend that Tia Juana Street between Willow Road and Virginia Avenue be made one-way eastbound. This proposal is one part of a solution of the truck traffic problem in the area. It is anticipated that the one-way street will provide sufficient area for trucks to line up as they wait to cross the border by giving them the opportunity to form two lines eastbound on Tia Juana Street. This provision will be needed for approximately two years, at which time the new commercial border crossing in Otay Mesa Road is expected to be open and the present commercial border crossing will be closed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-134: (R-91-334) ADOPTED AS RESOLUTION R-276422

Declaring Tonopah Avenue to be a one-way street from Franfort Street to Lieta Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Tonopah Avenue is adjacent to a steep embankment from Franfort Street to Lieta Street. It has been found that pedestrians walk across this embankment and congregate on the top of the hill to watch fireworks on a nightly basis. Also, allowing two-way traffic to travel on this road forces the eastbound motorist to travel along the edge of the embankment. The combination of pedestrian activity and motorists traveling along the edge of the roadway, will increase the deterioration of the embankment which, in turn, may jeopardize the safety of the roadway.

Converting Tonopah Avenue to a one-way street by narrowing the roadway width and forcing motorists away from the embankment will improve the overall safety of this road. This improvement is an interim measure until future improvements can be made to the embankment itself. The Clairemont Mesa Planning Group has been notified of this one-way conversion and expressed no opposition. Approximately three to five residents will be impacted and will be notified prior to the Council action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C301-510.)

MOTION BY HENDERSON TO ADOPT STAFF RECOMMENDATION AND DIRECT STAFF TO COME BACK TO COUNCIL IN THIRTY DAYS ON THE STEPS TO BE TAKEN ON VACATING THE STREET ASSUMING THERE IS AN UNRESOLVABLE SAFETY PROBLEM. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-135:

Five actions relative to truck traffic prohibition under California Vehicle Code Section 35700 et seq.:  
(San Ysidro Community Area. District-8.)

Subitem-A: (R-91-180) ADOPTED AS RESOLUTION R-276423

Prohibiting commercial vehicles with a gross vehicle weight rating of over 20,000 pounds from operating on southbound Calle Primera between Via de San Ysidro and Willow Road; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

Subitem-B: (R-91-181) ADOPTED AS RESOLUTION R-276424

Prohibiting commercial vehicles with a gross vehicle weight rating of over 20,000 pounds from operating on southbound Willow Road between Calle Primera and Camino de la Plaza; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

Subitem-C: (R-91-182) ADOPTED AS RESOLUTION R-276425

Prohibiting commercial vehicles with a gross vehicle weight rating of over 20,000 pounds from operating on Via Nacional between Camino de la Plaza and Tia Juana Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

Subitem-D: (R-91-183) ADOPTED AS RESOLUTION R-276426

Prohibiting commercial vehicles with a gross vehicle weight rating of over 20,000 pounds from operating on Louisiana Avenue between Camino de la Plaza and Tia Juana Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

Subitem-E: (R-91-184) ADOPTED AS RESOLUTION R-276427

Prohibiting commercial vehicles with a gross vehicle weight rating of over 20,000 pounds from operating on southbound Virginia Avenue between Camino de la Plaza and Tia Juana Street; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become

effective upon the installation of such signs.

**CITY MANAGER SUPPORTING INFORMATION:** This action will establish a truck traffic prohibition on the following streets:

(1) southbound Calle Primera between Via de San Ysidro and Willow Road, (2) southbound Willow Road between Calle Primera and Camino de la Plaza, (3) on Via Nacional between Camino de la Plaza and Tia Juana Street, (4) on Louisiana Avenue between Camino de la Plaza and Tia Juana Street and (5) southbound Virginia Avenue between Camino de la Plaza, and Tia Juana Street. Staff's field investigation revealed that many large trucks drive along Calle Primera, Willow Road, Tia Juana Street, Camino de la Plaza, Louisiana Avenue, Via Nacional, and Virginia Avenue on their way to the International Truck Border crossing, creating traffic congestion in the area. Traffic congestion in the area creates many problems, which include:

- Safety hazards to children attending Willow Elementary School due to trucks waiting in line in front of the school.
- Emergency vehicle access is seriously impaired whenever traffic congestion occurs.
- These roads are not designed to handle the existing volumes of truck traffic during peak border crossing hours.
- The police have been detouring trucks in this area for the past several years due to this continuous problem.

Based on the above, we recommend that vehicles with an excess gross vehicle weight capacity of 20,000 pounds (10 tons) be prohibited on the subject streets. This prohibition is part of an emergency solution to the truck traffic problem in the area. Trucks will be detoured to Tia Juana Street via Camino de la Plaza and Willow Road. It is anticipated that this detour will provide sufficient area for trucks to line up as they wait to

cross the border, relieving truck traffic congestion on the adjacent streets. This provision will be needed for approximately two years. At that time the new commercial border crossing in Otay Mesa Road is expected to be open and the present commercial border crossing will be closed.

**FILE LOCATION:** Subitems A-E: MEET

**COUNCIL ACTION:** (Tape location: C110-133.)

**CONSENT MOTION BY PRATT TO ADOPT.** Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-136: (R-91-340) ADOPTED AS RESOLUTION R-276428

A Resolution approved by the City Council in Closed Session on Tuesday, August 7, 1990 by the following vote:

Wolfsheimer-not present; Roberts-yea; Hartley-yea;  
Pratt-not present; Bernhardt-not present; Henderson-yea;  
McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$41,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Wendy Lynn Murray (Superior Court Case No. 594581, Wendy Lynn Murray v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$41,000 made payable to Wendy Lynn Murray and David Casey Jr., attorney, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego as a result of the incident of March 11, 1987.  
Aud. Cert. 9100168.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-137: (R-91-374) ADOPTED AS RESOLUTION R-276429

Establishing approved fees for Traffic Control Plan Check Services.

CITY MANAGER SUPPORTING INFORMATION: The Engineering and Development Department's FY 1990-91 budget includes a new Traffic Safety Plan Check Group. This new group will review public improvement plans and Traffic Control Plans through construction zones. The purpose of this group is to provide more timely, consistent and responsive plan reviews than the current procedure is providing. This group will be fully reimbursed by a combination of plan check charges against developer deposits, and a new fee for traffic control during construction. The review of public improvement plans will be charged directly against developer deposits using an existing

procedure that does not require any new action. The new fee will be charged to recover City costs for the office and field review of construction traffic control plans. It will be charged directly to the applicant applying for the approved traffic control plan related to their particular project. The fee for traffic control plans during construction is new, and requires the establishment of a new fee. We have calculated a fee schedule based on full cost recovery for Council approval. The proposed fee is \$70.  
Aud. Cert. 9100181.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-138: (R-91-173) ADOPTED AS RESOLUTION R-276430

Authorizing the City Auditor and Comptroller to establish an interest bearing trust fund, Fund No. 60216, entitled "Mira Mesa Senior Citizens Center"; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$20,000 placed in trust account 9022, Fund No. 63021, to interest bearing Fund No. 60216, "Mira Mesa Senior Citizens Center."

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 15, 1990, the City entered into a Settlement Agreement with Shapell Industries, Inc., a Delaware Corporation. As part of this agreement, Shapell was required to deposit with the City Manager's Office, the sum of \$20,000, as and for a charitable contribution to the Senior Citizen's Retirement Center in Mira Mesa. These funds will be used for future needs and will not be needed immediately. Accordingly, it is requested that City Council establish an interest bearing account so that all interest earnings will be accumulated for the benefit of the Senior Center until the final expenditure is made.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-139: (R-91-369) ADOPTED AS RESOLUTION R-276431

Authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$3,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of providing funds to defray expenses in the case of Del Mar Conservancy, Inc., v. City Council of the City of San Diego, et al.  
Aud. Cert. 9100180.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-140: (R-91-367) ADOPTED AS RESOLUTION R-276432

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$250,000 from CIP-58-004, Annual Allocation, Miscellaneous Requirements - City Streets, to CIP-52-121.3, Radio Drive-Valencia Parkway from Skyline Drive to Imperial Avenue; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$218,675 from CIP-52-121.3, Radio Drive-Valencia Parkway from Skyline Drive to Imperial Avenue, to the Park and Recreation Department's Open Space Acquisition Fund No. 30252, Account No. 78335; authorizing the expenditure of an amount not to exceed \$31,325 from CIP-52-121.3, for providing funds for the acquisition of Radio Drive-Valencia Parkway from Skyline Drive to Imperial Avenue.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On July 24, 1989, the City Council approved by Resolution R-274026 the plans and specifications for Valencia Parkway (CIP-52-121.3). Because this roadway necessarily traversed through City open space, it is necessary that the project reimburse the City's Open Space



Acquisition Fund an amount equivalent to the value of the land acquired. The Property Department has performed a land valuation and found that \$218,675 would be the appropriate reimbursement. Since there are not sufficient funds available in CIP-52-121.3, Valencia Parkway, it is necessary to transfer \$250,000 from CIP-58-004, Annual Allocation, Miscellaneous Requirements - City Streets.

Aud. Cert. 9100174.

NOTE: See Item 178 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-141: (R-91-360) ADOPTED AS RESOLUTION R-276433

Accepting a Boating Enforcement Grant from the California Department of Boating and Waterways.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The City has recently received notification for the California Department of Boating and Waterways of the award of a Boating Enforcement Grant. The grant funds may be used towards the purchase of a Harbor Patrol boat and attendant equipment. The grant is for up to 75 percent of the purchase price, not to exceed \$32,000. In order to secure the grant funds, it will be necessary for the City to enter into a contract with the Department of Boating & Waterways. A resolution from the City Council accepting the grant and authorizing the City Manager to execute all requisite contracts and payment requests pertaining to the grant is required. This resolution will fulfill that requirement. The grant funds will be used to replace an existing Harbor Patrol boat which is beyond economical repair.

Aud. Cert. 9100177.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-142: (R-91-244) ADOPTED AS RESOLUTION R-276434

Authorizing the City Manager to accept continued funding for the Parent Effectiveness project administered by the office of Criminal Justice Planning, as set forth in Resolution R-274326, adopted on September 11, 1989; authorizing the execution of the grant award for juvenile diversion and delinquency prevention purposes, including any extensions or amendments, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project; declaring that the City of San Diego shall provide from Seized and Forfeited Assets Fund 10132 all matching funds required during the third year of the project, including any amendments, under the Juvenile Justice and Delinquency Prevention Program and the rules and regulations of the office of Criminal Justice Planning.

CITY MANAGER SUPPORTING INFORMATION: The Police Department was selected to receive funding for their "Effective Parenting and Youth Responsibility" grant proposal. Under a program emphasizing Delinquency Prevention/Diversion (50 percent) and Post-Sentence After Care (50 percent), the grant provided up to \$55,000 per year in supplies, equipment, and overtime for juvenile officers to expand and enhance the "Parenting" component of the existing Juvenile Intervention and Diversion Program. Under the Diversion Program, youthful first offenders are screened and diverted from the Juvenile Justice System upon successful completion of a contract agreement consisting of such conditions as community service, an essay, and educational activities. A critical component of diversion is the "Effective Parenting and Youth Responsibility" class to educate young offenders and their parents on legal responsibilities and the consequences of their specific type of offense (theft, drugs, or statutory). This grant has purchased videos and supplies to enhance presentations, and permitted expansion of the classes to well over 800 families per year. The third grant year will continue and expand this successful program.  
Aud. Cert. 9100097.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-143: (R-91-141) ADOPTED AS RESOLUTION R-276435

Authorizing the City Manager to accept funding for the Innovative Neighborhood Oriented Policing Program grant; authorizing the execution of the grant award for Innovative Neighborhood Oriented Policing purposes, including any extensions or amendments awarded to the City; declaring that any grant funds received shall not be used to supplant expenditures controlled by the City Council.

CITY MANAGER SUPPORTING INFORMATION: If awarded, this grant program will promote coordination and integration between citizens, public and private agencies, and the Police Department to develop strategies for the control and reduction of crime problems at the neighborhood level. Objectives are to increase citizen involvement in developing drug reduction strategies, provide problem-solving training and resources to the community, and reduce drug-related activities in target areas. Strategies will include development of a Strategic Planning Team, Problem Solving Advisory Group, community training, drug demand diversion and education, media development, and crime analysis. The grant will fund a full-time Audio Visual Specialist, 25 percent of the Project Trainer/Coordinator, travel/training, computer equipment, supplies, and the required evaluation by the Police Executive Research Forum.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-144: (R-90-2323) ADOPTED AS RESOLUTION R-276436

Authorizing the execution of an amendment to the agreement of September 11, 1989 with Applied Management Engineering, Inc., to perform a condition assessment of the City Administration Building (CAB), together with any necessary

modifications or amendments which do not increase the

project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$19,772 from Department 532, General Services, Buildings Division, Fiscal Year 1990 Budget, for the purpose of providing funds for the above project.  
(District-8.)

CITY MANAGER SUPPORTING INFORMATION: A Facilities Condition Assessment was recently completed on 104 City facilities. The original Condition Assessment and Replacement Valuation Study Agreement with Applied Management Engineering Inc., PC did not include City Administration Building (CAB) study since it was expected the City would move to a new Civic Center in a few years. A Condition Assessment of CAB is now recommended. The results of this proposed study are required to assist in the evaluation of proposals to continue present operations at CAB. General Services/Buildings Division recommends the amendment of the original agreement with Applied Management Engineering Inc., PC (AME) based on the satisfactory completion of the original survey study (P.O. #0174583). AME also knows the City's requirements and will expedite the completion of the work. AME was selected to perform the original contract based on submitting the lowest responsible bid that the City received. There are few qualified firms that can perform the work. The new data will be easily incorporated into the existing condition information.

Aud. Cert. 9001076.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-145: (R-91-331) ADOPTED AS RESOLUTION R-276437

Authorizing the execution of a Reimbursement Agreement with Baldwin Builders for design and construction of Windwood II and Carmel Grove Mini-Parks, together with any modifications or amendments which do not increase the

project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$524,152.64, consisting of \$166,801.12 from CIP-29-627.0, North City West Renaissance Parks-Neighborhood No. 1, and \$357,351.52 from CIP-29-645.0, North City West Renaissance Parks-Neighborhood No. 6, North City West FBA Fund No. 79002, to provide funds for the above project.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Baldwin Builders has designed and constructed two mini-parks in North City West, which the City is now operating and maintaining. One is the Windwood II Park in Neighborhood 1 and the other is the Carmel Grove Park in Neighborhood 6. Both parks are part of projects identified in the North City West Public Facilities Financing Plan and Facilities Benefit Assessment (Project Nos. 21-31 and 21-34). The proposed agreement will authorize reimbursement to Baldwin Builders for the actual cost of designing and constructing both parks.  
Aud. Cert. 9100144.

FILE LOCATION: STRT FB-8 CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-146:

Two actions relative to the Reimbursement Agreement with Baldwin Builders:

(North City West Community Area. District-1.)

Subitem-A: (R-91-365) ADOPTED AS RESOLUTION R-276438

Authorizing the execution of a Reimbursement Agreement with Baldwin Builders for the design and construction of North City West Neighborhood 5 Mini-Park, together with any

reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the

expenditure of an amount not to exceed \$339,750 from CIP-29-713.0, North City West Renaissance Park - Neighborhood No. 5, North City West FBA Fund No. 79002, for the purpose of providing funds for the above project.  
Subitem-B: (R-91-366) ADOPTED AS RESOLUTION R-276439

Certifying that the information contained in Negative Declaration DEP-90-0366, in connection with the North City West Neighborhood No. 5 Mini-Park, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The North City West Public Facilities Financing Plan and Facilities Benefit Assessment and the Capital Improvements Program include a 3 acre mini-park in North City West Neighborhood 5. The proposed reimbursement agreement will authorize Baldwin Builders to be reimbursed from FBA funds for the cost of designing and constructing that park.  
Aud. Cert. 9100178.

FILE LOCATION: STRT FB-8 CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-147:  
Two actions relative to the Reimbursement Agreement - North City West Green Valley Pipeline:  
(District-1.)

Subitem-A: (R-91-389) ADOPTED AS RESOLUTION R-276440

Authorizing the execution of a Reimbursement Agreement with Baldwin Builders for construction of portions of the Green Valley Water Transmission Pipeline Project 21-8 of the North City West Public Facilities Financing Plan and Facilities Benefit Assessment; authorizing the payment in cash or FBA credits of up to \$5,041,074 from North City

West FBA 79002 for the purpose of providing funds for the above project.

Subitem-B: (R-91-390) ADOPTED AS RESOLUTION R-276441

Certifying that the information contained in DEP-89-1269, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report and Mitigation Monitoring and Reporting Program has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Project 21-8 of the North City West Public Facilities Financing Plan provides for the construction of reaches 2,3,4 and 8 of a 30-inch water transmission line between the 30-inch transmission line in Del Mar Heights Road and the existing 51-inch transmission line in Mira Mesa Boulevard and improvements to the Rancho Bernardo Pressure Reducing Station. The North City West portion of the project is to be funded by the North City West FBA. The project will be constructed by North City West and Sorrento Hills Developers for reimbursement by the North City West FBA. Approval of this agreement will provide reimbursement from FBA Funds to Baldwin Builders Company in Fiscal Year 1991 and 1994 for design and construction of reaches 2,3,4 and 8 and required pressure reducing station improvements. Some of this work has been completed or is under construction. It is anticipated that additional reimbursement agreements with other developers for construction of the remaining reaches will be required in the future.

Aud. Cert. 9100189.

WU-E&D-91-028.

FILE LOCATION: Subitem-A,B: STRT FB-8 CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-148: (R-91-357) CONTINUED TO SEPTEMBER 17, 1990

Authorizing the execution of an agreement with Battle Mountain for professional services in connection with the

proposed Bernardo Vista del Lago Development - San Pasqual Aquatic Treatment Facilities, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$761,000 within the Sewer Revenue Fund (41506) from CIP-46-111.0, Rose Canyon Trunk Sewer, to CIP-46-151.0, San Pasqual Water Reclamation Facility, and \$761,000 within the Water Revenue Fund (41502), CIP-73-248.0, Pomerado Pipeline, to CIP-73-290.0, San Pasqual Water Reclamation Facility; authorizing the expenditure of an amount not to exceed \$1,522,000, consisting of \$761,000 from CIP-46-151.0, San Pasqual Water Reclamation Facility, and \$761,000 from CIP-73-290.0, San Pasqual Water Reclamation Facility, for the purpose of providing funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 31, 1989, the City of San Diego entered into negotiations for the exclusive sale of City-owned land to Battle Mountain. The City required an easement for the San Pasqual Water Reclamation Pipeline across Battle Mountain's property. Since Battle Mountain has indicated that they plan to develop their property, the need for the agreement is necessary. Battle Mountain plans to grade their property and reduce the elevation along the proposed San Pasqual Pipeline route by up to fifty feet. Battle Mountain must first grade their property; the City will then construct its pipelines; then Battle Mountain will construct their subdivision.

The purpose of this agreement is to protect either party in case construction delays from one project affect the other. The primary purpose of this agreement is for the City to grade the property and bill Battle Mountain if Battle Mountain's project was delayed, and if the City's project is delayed, Battle Mountain would construct the pipelines and bill the City. It is anticipated that delays which affect another party will not occur, and no expenditures will be required; however, if Battle Mountain is required to construct the City's pipelines, this work would be deducted from the original construction contract. Some minor work will also be performed by both parties for the



benefit of the other. The agreement provides for Battle Mountain to blast additional rock along the pipeline route for the benefit of the City. The City would reimburse Battle Mountain for this work in the amount of \$52,000. It is practical to complete all blasting work at one time, and Battle Mountain has a much greater quantity than the City. The City is also constructing a casement below Interstate 15 for its pipelines. There is room in the casement for a sewer outfall that Battle Mountain is required to construct for this subdivision. The City will construct this sewer outfall, and Battle Mountain will reimburse the City \$35,000.

Aud. Cert. 9100115.

WU-U-90-139.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: B475-500.)

MOTION BY WOLFSHEIMER TO CONTINUE FOR ONE WEEK FOR FURTHER REVIEW REGARDING THE CITY'S LIABILITY. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-149: (R-91-350)    ADOPTED AS RESOLUTION R-276442

Authorizing the execution of an agreement with the California Department of Corrections, for the improvement of Otay Mesa Road.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION:    The environmental assessment study which was done for the Richard J. Donovan State

Prison identified the need to improve Otay Mesa Road to provide a safer access to the state prison. A portion of this road lies within the City of San Diego, and the California Department of Corrections agrees to pay the City a sum not to exceed \$195,196 to make some improvements to this road. These improvements will include a traffic signal at the intersection with SR-125, safety signs and devices, and new pavement between SR-125 and Harvest Road.

FILE LOCATION:    MEET    CONTFY91-1

COUNCIL ACTION:    (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-150: (R-91-216) ADOPTED AS RESOLUTION R-276443

Authorizing the execution of a third amendment to the agreement with the County of San Diego, to increase the fees charged for indigent burials at Mt. Hope Cemetery.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego entered into an agreement with the County of San Diego in 1964 whereby the County granted the City exclusive use and control for burial purposes of an approximately 10-acre parcel of land, then known as Evergreen Cemetery adjacent to Mount Hope Cemetery. In return, the City agreed to permit burials of indigent dead in Mt. Hope Cemetery and Evergreen Cemetery without charge to the County for the burial plot and to furnish perpetual care and cemetery services for these indigent burials for a set fee. The agreement was amended in 1968 and 1980 to update the fee schedule. This third amendment to the fee schedule would assure the City full cost recovery for the services provided and would result in additional revenues of approximately \$21,000 per year. It was approved by the County on July 3, 1990, to be effective July 1, 1990:

Fee Schedule	Perpetual Care	Openings & Closings	Graveliner	TOTAL
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Adult	\$ 55.00	\$ 90.00	-0-	\$145.00
Child	38.00	67.00	-0-	105.00
Infant	28.00	90.00	-0-	118.00
Ash Burial	29.00	45.00	-0-	74.00

NEW

Adult	126.00	121.00	50.00	297.00
Child	126.00	111.50	25.50	263.00
Infant	90.00	64.00	-0-	154.00
Ash Burial	45.00	60.00	-0-	105.00

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-151: (R-91-359) ADOPTED AS RESOLUTION R-276444

Authorizing the execution of an agreement with San Diego County Certified Development Corporation to carry out the Community Development Block Grant (CDBG) Program within the City of San Diego; authorizing the expenditure of an amount not to exceed \$89,050 from CDBG Fiscal Year 1990, Fund 18526, for the purpose of providing funds for the above agreement; authorizing the City Manager to extend the existing agreement with R. Navarro & Associates, Inc. (formerly Quezada Navarro & Company) for an audit of Certified Development Corporation for the CDC year ending September 30, 1991, under the terms and conditions set forth in the agreement on file in the office of the City Clerk as Document No. RR-275203; authorizing the expenditure of \$5,950 from CDBG Fiscal Year 1990, Fund 18526, to fund the above audit services of R. Navarro & Associates.

CITY MANAGER SUPPORTING INFORMATION: The San Diego County Certified Development Corporation (CDC) is a Community Development Block Grant (CDBG) funded nonprofit corporation providing loan packaging and technical assistance to small business in San Diego. The proposed agreement would use a 1990-91 CDBG allocation of \$100,000. Of this amount, \$5,950 has been allocated to perform a year end audit and \$5,000 has been allocated for City staff to monitor CDBG/HUD regulations, leaving a remaining balance of \$89,050 available to finance CDC operations. This action would authorize the agreement between the City and the CDC, extend the existing contract with the audit firm, and authorize the expenditure of funds for the CDC and audit.

Aud. Cert. 9100170.

FILE LOCATION: MEET CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-152: (R-90-1854) ADOPTED AS RESOLUTION R-276445

Authorizing the execution of an agreement with Enforcement Technology, Inc., for the collection of delinquent parking violation fees on vehicles registered out of state, together with any necessary modifications or amendments, which do not increase the project scope or cost which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement.  
(See City Manager Report CMR-90-277.)

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-153: (R-91-276) ADOPTED AS RESOLUTION R-276446

Authorizing the execution of a fourth amendment to the agreement with Ferver Engineering Company to perform consulting engineering services in connection with the retrofitting of the City bridges with earthquake restrainers; authorizing the expenditure of an amount not to exceed \$16,000 from CIP-53-037.0, Earthquake Restrainers for Bridges, Fund 30245, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On February 12, 1990, the City made the third amendment to the agreement to have the consultant update the existing working drawings, specifications, and cost estimates for the following bridges, which is on file in the office of the City Clerk as Document No. RR-275119:

1. C-023 West Mission Bay Drive over San Diego River
2. C-028 Morena Boulevard over San Diego River
3. C-077 Adams Avenue over Texas Street

Now, under this fourth amendment, the consultant will perform some retrofitting analyses to the bridges specified above to satisfy California Department of Transportation (CalTrans) requirements, and update the existing working drawings, specifications, and cost estimates accordingly. Satisfying CalTrans standards may allow for future reimbursement by the State for a portion of the costs incurred.  
Aud. Cert. 9100108.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-154: (R-91-349) ADOPTED AS RESOLUTION R-276447

Authorizing the execution of an agreement with R. Lorenzo Higley M.S.W., for professional services, together with any necessary modifications or amendments which do not increase the project or scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$43,700 from the Golden Hill Project Can:Do Community Coordinator Commercial Area Revitalization Community Development Block Grant, Fund No. 18526, Department No. 5896, Organization No. 9602, for the purpose of providing funds for this project.

(Golden Hill Community Area. Districts-4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: In 1985, the Greater Golden Hill Community Planning Committee requested Community Development Block Grant (CDBG) funds to obtain the services of a community coordinator to focus on commercial revitalization in the Golden Hill community. In 1986, the City Council approved an agreement (Document No. RR-268636) with R. Lorenzo Higley. The agreement was executed for a three-year period with annual review of the work program and funding by the City Council. The City Council allocated funding for 1990-1991.

The consultant has submitted a proposed work program and budget which has been incorporated into the FY 1990-91 Work Program and Budget. The Greater Golden Hill Planning Committee, and the Golden Hill Neighborhood Association have recommended authorization of the FY 90-91 agreement with Mr. R. Lorenzo Higley. The administration of this agreement is assigned to the Property Department, Economic Development Division, to centralize the coordination of the public improvement projects in the Golden Hill community.

Aud. Cert. 9100164.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-155: (R-91-289) ADOPTED AS RESOLUTION R-276448

Authorizing the execution of a first amendment to the contract of February 27, 1989 with Hirsch and Company, in connection with engineering consultant services, together with any necessary modifications or amendments which do not increase the project scope or cost which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$150,000, consisting of \$75,000 from Water Revenue Fund 41500, Water Operating Engineering Program 70830 and \$75,000 from Sewer Revenue Fund 41506, Sewer Operating Engineering Program 70820 for the purpose of providing funds for this project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances warrant.

CITY MANAGER SUPPORTING INFORMATION: On February 27, 1989, the City entered into a two year agreement with Hirsch and Company, Document No. RR-272947, to provide engineering services for the Water Utilities Department on an as-needed basis. The agreement provided for services by task order with each task not to exceed \$25,000 and the total contract not to exceed \$150,000, with the option that the agreement could be extended for the second year under the same terms and conditions, if the City so elected. It is our recommendation to extend a second year. The City has reached the \$150,000 limit with Hirsch and Company for 12 tasks that have been performed. These tasks consist of engineering services for the Water Utilities Department as needed for economic and financial analysis, electrical engineering, corrosion engineering, civil engineering, traffic controls, and other miscellaneous projects. The requested action will amend the existing agreement to provide for the extension of Hirsch and Company's agreement for one year with an additional allocation of \$150,000.

Aud. Cert. 9100131.

WU-U-90-187.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-156: (R-91-275) ADOPTED AS RESOLUTION R-276449

Authorizing the execution of a fourth amendment to the agreement with Kercheval and Associates, to perform consulting engineering services in connection with the retrofitting of City bridges with earthquake restrainers; authorizing the expenditure of an amount not to exceed \$33,710 from CIP-53-037.0, Earthquake Restrainers for Bridges, Fund 30245, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On February 12, 1990, the City made the third amendment to the agreement to have the consultant update the existing working drawings, specifications, and cost estimates for the following bridges, which is on file in the Office of the City Clerk as Document No. RR-275122:

1. C-079 University Avenue over Washington Street
2. C-195 Harbor Drive over Chollas Creek

Now, under this fourth amendment, the consultant will perform some retrofitting analyses to the bridges specified above to satisfy the California Department of Transportation (CalTrans) requirements, and update the existing working drawings, specifications, and cost estimates accordingly. Satisfying CalTrans standards may allow for future reimbursement by the State for a portion of the costs incurred.  
Aud. Cert. 9100109.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-157: (R-91-230) ADOPTED AS RESOLUTION R-276450

Authorizing the execution of an Amendment No. 1 to the Agreement of January 21, 1986 with Nolte and Associates, for additional construction support services in connection

with the Point Loma Wastewater Treatment Plant Expansion Project; authorizing the City Auditor and Comptroller to transfer the amount of \$185,000 within the Sewer Revenue Fund No. 41506, CIP-46-086.0, Point Loma Maintenance Building Expansion Project, to the Metropolitan Wastewater Construction Program No. 70292, Sedimentation Basin 9 and 10 Project, CIP-46-088.0; authorizing the expenditure of an amount not to exceed \$250,000 from Sewer Revenue Fund No. 41506, CIP-46-008.0, for the purpose of providing funds for the above project.

(Point Loma Community Area. District-2.)

**CITY MANAGER SUPPORTING INFORMATION:** In order to meet the discharge requirements for the Point Loma Wastewater Treatment Plant, as mandated by the City's National Pollution Discharge Elimination System Permit, and in order to meet Metropolitan Wastewater projections, in January 1986 the City retained engineering services with Nolte & Associates to provide construction documents for the Point Loma Wastewater Treatment Plant Expansion Project. In November 1988, the City entered into a new agreement with Nolte & Associates to provide engineering and construction management services during the construction of the two sedimentation basins, influent tunnel and channel. The construction contract for this project was awarded to Western Summit Contractors in December 1989 with Nolte & Associates providing the construction management and inspection until December 1991.

This request is for authorization to amend the existing agreement with Nolte & Associates to provide construction coordination of the sedimentation basin 9 and 10 - influent tunnel and channel modifications project currently under construction, maintenance facility expansion and Phase IV and V of the shoreline protection projects. Amendment No. 1 also will require Nolte & Associates to provide construction management services for the construction of the maintenance facility expansion, scheduled for construction for fall of 1990. It is recommended that Nolte & Associates perform consultant services in accordance with Council Policy 300-7 due to their familiarity, expertise, and available staff and resources at the site, and to maintain continuity of project responsibilities.

Aud. Cert. 9100105.

WU-U-90-195.

**FILE LOCATION:** MEET CCONFY91-1



COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-158: (R-91-333) CONTINUED TO OCTOBER 1, 1990

Authorizing the execution of an extension to option agreement with Lake Hodges Performing Arts Association, Inc., for the exclusive right to lease approximately 30 acres of City-owned land for the purpose of constructing, operating and maintaining an outdoor amphitheater and regional performing arts center through July 28, 1991; authorizing the City Manager to extend the lease option for an additional one year, provided the Planning Department extends the conditional use permit for the same period of time.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: In 1985, the City Council authorized the execution of a three-year option to lease and lease agreement with Lake Hodges Performing Arts Association, Inc. The purpose was for the construction, operation and maintenance of an open air performing arts center in Rancho Bernardo on approximately 30 acres of City-owned (Water Utilities) land. A Conditional Use Permit (CUP) was also issued by the Planning Department. In 1989, the City Council extended the Option Agreement until July 28, 1990. The Planning Department extended the CUP until July 1991.

Presently, a development plan encompassing both the performing arts center and the proposed golf course has been submitted to the Planning Department, as well as a request for an amendment to the current CUP. The Planning Department is requesting the option agreement be in effect concurrently with the CUP.

Although the Association is requesting an extension of its Option Agreement to July 28, 1992, the City Manager recommends an extension to July 28, 1991, when the existing CUP terminates.

If the Planning Department extends the CUP for an additional year, the City Manager also requests the authority to extend the lease option for the same time period.

WU-PR-91-019.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B501-538.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 1, 1990, FOR TIME FOR THE RANCHO BERNARDO GROUP TO REVIEW THE LEASE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-159: (R-91-279) (Note: Item was redocketed on 11/13/90 to clarify docket language. Disposition will take place at that time. Resolution number R-276451 will be assigned at that time.)

19900910

Authorizing the execution of an agreement with Otay International Center for the deferred construction of a traffic signal at Harvest Road and Otay Center Drive. (Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 10, 1989, the City entered into an agreement with Otay International Center, a California Partnership, for the deferred construction of a traffic signal at Otay Center Drive and Harvest Road (Document No. RR-273908). After reviewing several design alternatives, and much input from the Traffic Engineering Section, it was decided that the construction of the signal at this time or in the next 5-10 years, does not appear to be practical or warranted. Due to these circumstances, we are terminating the agreement. The City is to retain the \$65,000.00 currently on deposit in Account No. 9022, Fund No. 63021, DCR No. 011943, and this will satisfy the requirement for the construction of the signal (Resolution Item No. 18F, TM-85-0851).

FILE LOCATION: SUBD - Otay International Center Lot No. 1  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-160: (R-91-271) ADOPTED AS RESOLUTION R-276452

Authorizing the execution of a Reimbursement Agreement with Pardee Construction Company for FBA credits or cash reimbursements in exchange for the construction of a four-way traffic signal at the intersection of Sabre

Springs Parkway and Poway Road.

(Sabre Springs Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1990, by Resolution R-275928, the City Council of the City of San Diego

adopted the revised Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for the proposed development of the real property owned by Pardee Construction Company and others in the area known as Sabre Springs. As the major property owner and developer in Sabre Springs, Pardee is to provide substantial public improvements for that area. This Reimbursement Agreement has been prepared in conjunction with Project No. 20, as described in the Sabre Springs FBA. The construction of this traffic signal facility was completed during August, 1989. The improvements for this facility were illustrated on the following sets of plans: "Construction of Traffic Signal and Safety Lighting Systems at the Intersection of Poway Road and Sabre Springs Parkway," per Drawing No. 20730-D, and "Plans for the Modification of Traffic Signal and Safety Lighting Systems at the Intersection of Poway Road and Sabre Springs Parkway," per Drawing No. 23848-21-D. Both sets of plans were approved and permitted by the City's Engineering and Development Department.

The City, through the FBA program, had the design and construction of the project scheduled for Fiscal Years 1984 through 1989 and reimbursement in its program budget for Fiscal Year 1991. The proposed agreement provides that Pardee advance the total cost for design and construction of the project. The estimated total cost including, but not limited to, construction costs, design services, engineering, professional services, grading, soils testing, surveying, project administration, insurance, bonds, and all other fees and charges is currently estimated to be \$135,000. The agreement provides that the City will either grant FBA credits to Pardee for the actual costs incurred, not to exceed the above estimated total cost, or will grant cash reimbursements to Pardee should there not be any lots left on which to receive FBA credits. If FBA credits are granted, they will be applied to future FBA charges applicable to building permits on lots within the Sabre Springs Facilities Benefit Assessment District. Pardee will only be eligible for cash reimbursements if there are sufficient monies available on deposit in the FBA fund for Sabre Springs.

FILE LOCATION: STRT FB-9 CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-161: (R-91-273) ADOPTED AS RESOLUTION R-276453

Authorizing the execution of a Reimbursement Agreement with Pardee Construction Company for FBA credits or cash reimbursements in exchange for the construction of a 20" water line that serves Sabre Springs.

(Sabre Springs Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1990, by Resolution R-275928, the City Council of the City of San Diego adopted the revised Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for the proposed development of the real property owned by Pardee Construction Company and others in the area known as Sabre Springs. As the major property owner and developer in Sabre Springs, Pardee is to provide substantial public improvements for that area. This Reimbursement Agreement has been prepared in conjunction with Project No. 25, as described in the Sabre Springs FBA. The City and Pardee desire the completion of a 20" water line facility to provide a secondary feed to the Sabre Springs Community, as shown on the following set of plans: "Mercy Road Water Transmission Line," according to Drawing No. 24150-1 thru 16-D. This set of plans has been previously approved by the City's Water Utilities Department and the City's Engineering and Development Department. The City, through the FBA program, had the design and construction of the project scheduled for completion during Fiscal Year 1990 and reimbursement in its program budget also for Fiscal Year 1990. The proposed agreement provides that Pardee advance the total cost for design and construction of the project. The estimated total cost including, but not limited to, construction costs, design services, engineering, professional services, grading, soils testing, surveying, project administration, insurance, bonds, and all other fees and charges is currently estimated to be \$1,300,000. The agreement provides that the City will either grant FBA credits to Pardee for the actual costs incurred, not to exceed the above estimated total cost, or will grant cash reimbursements to Pardee should there not be any lots left on which to receive FBA credits. If FBA credits are granted, they

will be applied to future FBA charges applicable to building permits on lots within the Sabre Springs Facilities Benefit Assessment District. Pardee will only be eligible for cash reimbursements if there are sufficient monies available on deposit in the FBA fund for Sabre Springs.  
WU-E-91-005.

FILE LOCATION: STRT FB-9 CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-162: (R-91-272) ADOPTED AS RESOLUTION R-276454

Authorizing the execution of a Reimbursement Agreement with Pardee Construction Company for FBA credits or cash reimbursements in exchange for the construction of landscaping improvements along the slope banks of Penasquitos Creek.

(Penasquitos Creek runs east-west through Sabre Springs, southerly of Poway Road. Sabre Springs Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1990, by Resolution No. R-275928, The City Council of the City of San Diego adopted the revised Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment (FBA) for the proposed development of the real property owned by Pardee Construction Company and others in the area known as Sabre Springs. As the major property owner and developer in Sabre Springs, Pardee is to provide substantial public improvements for that area. This Reimbursement Agreement has been prepared in conjunction with Project No. 31, as described in Sabre Springs FBA.

The City and Pardee desire the completion of landscaping improvements along the slope banks of Penasquitos Creek as shown on the following sets of plans: (1) Plans for the Pomerado Extension Trunk Sewer, Drawing No. 22622-D, W.O. #850863; (2) Plans for the Springhurst Drive Bridge over Penasquitos Creek, Drawing No. 24539-D; (3) Plans for the Springbrook Drive Bridge over Penasquitos Creek, Drawing No. 24572-D; (4) Plans for South Creek Parcels 35-48 Unit No. 4, Drawing No. 24521-D; (5) Plans

for South Creek Parcels 35-48 Unit Nos. 14 and 15, Drawing No. 24528-D; and (6) Plans for Creekview South Parcels 23, 24, 25, 26 and 27, Unit No. 1, Drawing Nos. 23848-37-D and 23848-41-D. Each of the above sets of plans has been previously approved by the City's Park and Recreation Department and the City's Engineering and Development Department.

The City, through the FBA program, had the design and construction of the Project scheduled for Fiscal Years 1990 through 1993 and reimbursement in its program budget for Fiscal Years 1991 through 1993. The proposed agreement provides that Pardee advance the total cost for design and construction of the project. The estimated total cost including, but not limited to, construction costs, design services, engineering, professional services, grading, soils testing, surveying, project administration, insurance, bonds, and all other fees and charges is currently estimated to be \$300,000. The agreement provides that the City will either grant FBA credits to Pardee for the actual costs incurred, not to exceed the above estimated total cost, or will grant cash reimbursements to Pardee should there not be any lots left on which to receive FBA credits. If FBA credits are granted, they will be applied to future FBA charges applicable to building permits on lots within the Sabre Springs Facilities Benefit Assessment District. Pardee will only be eligible for cash reimbursements if there are sufficient monies available on deposit in the FBA fund for Sabre Springs.

FILE LOCATION:    STRT FB-9    CONTFY91-1

COUNCIL ACTION:    (Tape location: C515-574.)

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 162 AND 163, AND TO DIRECT STAFF TO TAKE A LOOK AT SAVING THE TAXPAYERS SOME MONEY BY NOT MAINTAINING THE SMALL SLOPES BUT RATHER TO LET THESE GO TO THE ADJACENT NEIGHBOR(S) AND LET THEM COVER THE LIABILITY AND MAINTENANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-163: (R-91-274)    ADOPTED AS RESOLUTION R-276455

Authorizing the execution of a Reimbursement Agreement with Pardee Construction Company for FBA credits or cash reimbursements in exchange for the construction of landscaping improvements along both the slope banks of

Chicarita Creek and the pond at the southerly terminus of Chicarita Creek.

(Sabre Springs Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1990, by Resolution R-275928, the City Council of the City of San Diego adopted the revised Sabre Springs Public Facilities Financing

Plan and Facilities Benefit Assessment (FBA) for the proposed development of the real property owned by Pardee Construction Company and others in the area known as Sabre Springs. As the major property owner and developer in Sabre Springs, Pardee is to provide substantial public improvements for that area. This Reimbursement Agreement has been prepared in conjunction with Project No. 30 as described in the Sabre Springs FBA. City and Pardee desire the completion of landscaping improvements along both the slope banks of Chicarita Creek and the pond at the southerly terminus of Chicarita Creek, as shown on the following set of plans: "Chicarita Creek Enhancement Plan in North Creek Areas 14 - 18, Unit 2," according to City Engineer's Drawing No. 23654-26 thru 35-D. This set of plans has been previously approved by the City's Park and Recreation Department, the Environmental Quality Division of the Planning Department, and the City's Engineering and Development Department. The City, through the FBA program, had the design and construction of the project scheduled for completion during Fiscal Year 1990 and reimbursement in its program budget for Fiscal Years 1991 and 1992.

The proposed agreement provides that Pardee advance the total cost for design and construction of the project. The estimated total cost including, but not limited to, construction costs, design services, engineering, professional services, grading, soils testing, surveying, project administration, insurance, bonds, and all other fees and charges is currently estimated to be \$800,000. The agreement provides that the City will either grant FBA credits to Pardee for the actual costs incurred, not to exceed the above estimated total cost, or will grant cash reimbursements to Pardee should there not be any lots left on which to receive FBA credits. If FBA credits are granted, they will be applied to future FBA charges applicable to building permits on lots within the Sabre Springs Facilities Benefit Assessment District. Pardee will only be eligible for cash reimbursements if there are sufficient monies available on deposit in the FBA fund for Sabre Springs.

FILE LOCATION: STRT FB-9 CONTFY91-1

COUNCIL ACTION: (Tape location: C515-574.)

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 162 AND 163, AND TO DIRECT STAFF TO TAKE A LOOK AT SAVING THE TAXPAYERS SOME MONEY BY NOT MAINTAINING THE SMALL SLOPES BUT RATHER TO LET THESE GO TO THE ADJACENT NEIGHBOR(S) AND LET THEM COVER THE LIABILITY AND MAINTENANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-164: (R-91-290) ADOPTED AS RESOLUTION R-276456

Authorizing the execution of a one-year lease addendum (with two one-year options) with Rancho Euclid Joint Venture, for the continued use by the Police Department of office space at 1535 Euclid Avenue as a community relations office, at a monthly rental of \$1,315.69 plus utilities; authorizing the expenditure of an amount not to exceed \$13,156.90 from Fund 100, Dept. 110, Org. 485, Account 4682, Job Order 111482, for lease costs from September 1, 1990, to June 30, 1991.

(Southeast San Diego Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Since 1987, the Police Department has maintained a storefront site at 1535 Euclid Avenue in Southeast San Diego. The present lease rate is \$1,315.69 per month for 1,350 square feet of office space (97[, rounded, per square foot). It is proposed to extend the agreement with Rancho Euclid Joint Venture, the property owner, for one year with two one-year options to extend. All other conditions of the lease remain the same. This office provides a good location at a reasonable rate.  
Aud. Cert. 9100132.

FILE LOCATION: LEAS - Rancho Euclid Joint Venture  
LEASFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-165: (R-91-348) ADOPTED AS RESOLUTION R-276457

Authorizing the execution of an agreement with the San



Diego Conservation Corps for contracting services, with any reasonably necessary modifications or amendments which do not increase the project scope or cost which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement;

authorizing the expenditure of an amount not to exceed \$112,050 consisting of \$47,050 from the Park and Recreation Department, Fund No. 100 and \$65,000 from the Water Utilities Department, Fund No. 41500, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: In October, 1988, a Steering Committee appointed by the Mayor and City Council was established to oversee incorporation activities, and to identify a permanent Board of Directors for the San Diego Conservation Corps. A permanent Board of Directors has been established, and the Corps has been incorporated as a nonprofit entity. The Corps was created to provide meaningful work opportunities to young people who might otherwise be on the street and without employment.

A major source of income for this new corporation was to be fees for service contracts established between the Corps and various departments within the City of San Diego. The agreement before Council for approval will allow budgeted expenditures to be used for specific projects with the Park and Recreation and Water Utilities Departments. Work to be contracted for includes \$47,050 for tree planting, landscaping, and trail building within the Park and Recreation Department, and \$65,000 for treatment plant maintenance within the Water Utilities Department.

Aud. Cert. 9100126.

WU-CM-91-007.

FILE LOCATION: MEET CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-166:

Two actions relative to the Custodial and Investment Counseling Services to the Funds Commission:

Subitem-A: (R-91-206) ADOPTED AS RESOLUTION R-276458

Authorizing the execution of a first amendment to the agreement with Security Pacific Bank to provide custodial services for investments of the Cemetery Perpetuity Fund and Benjamin Memorial Fund, extending the agreement through June 30, 1991.

Subitem-B: (R-91-207) ADOPTED AS RESOLUTION R-276459

Authorizing the execution of a first amendment to the agreement with Rice, Hall, James and Associates for investment counseling services for the Cemetery Perpetuity Fund and the Edwin A. Benjamin Memorial Fund, extending the agreement through June 30, 1991.

CITY MANAGER SUPPORTING INFORMATION: Pursuant to City Charter Section 41(a) the City Funds Commission administers the following funds:

1. The Benjamin A. Memorial - created by ordinance in February, 1964 to receive the bulk of the Benjamin estate to be used to improve library resources and services (market value on 3/31/90 was \$305,947.)
2. The Cemetery Perpetuity Fund - established in 1919 by Charter amendment to ensure perpetual maintenance of the Mt. Hope Cemetery grounds (market value on 3/31/90 was \$4,454,644.)

The current agreements with Security Pacific, custodial bank, and Rice, Hall, James, investment counselor, were entered into on October 1, 1987 and July 1, 1985 respectively. The Funds Commission desires to extend both agreements until June 30, 1991. In the interim, the Commission intends to hire a consultant to perform services in connection with securing a new investment counsel contract, including an evaluation of the performance of the existing investment counselor. The cost of the consultant shall not exceed \$6,000. Because the current custodial bank contract is tied into the services of Rice, Hall, James as investment counselor, it is requested that the custodial contract be extended to June 30, 1991 as well. Aud. Cert. 9001084.

FILE LOCATION: Subitem-A,B: MEET CONFY91-2

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-167: (R-91-354) ADOPTED AS RESOLUTION R-276460

Authorizing the execution of 36 first amendments to the agreements with social service agencies to provide cost of living adjustments recommended by the Council on June 28, 1990; authorizing the City Auditor and Comptroller to transfer \$191,429 from the General Fund (Fund 100) to the Human Care Services Special Fund (Fund 19663); authorizing the City Auditor and Comptroller to transfer \$191,429 from the General Fund (Fund 100) to the Human Care Services Special Fund (Fund 19663); authorizing the City Auditor and Comptroller to substitute \$30,000 in Fund 18526 (16th Year CDBG Entitlement) from the United Way Staff Assistance Program (Department 5894, Organization 9411) with \$30,000 from Fund 19663, and \$39,838 in Fund 18526 from the San Diego County Food Bank Program (Department 5894, Organization 9410) with \$39,838 from Fund 19663; authorizing the expenditure of an amount not to exceed \$110,625 from the Human Care Services Special Fund (Fund 19663) and \$69,838 from 16th Year CDBG Entitlement Fund (Fund 18526), for the purpose of providing funds for the above cost of living adjustments.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1990 the City Council, meeting as the Committee of the Whole, approved a 5 percent cost of living adjustment (COLA) for City funded social service programs. This action allocates the 5 percent COLA to each of the 36 programs previously approved by the City Council.

Aud. Cert. 9100166.

FILE LOCATION: MEET CONTFY91-36

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-168: (R-90-2283) ADOPTED AS RESOLUTION R-276461

Authorizing the execution of a five-year agreement with the

San Diego Unified School District, for the use of seven City swimming pools, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement.

CITY MANAGER SUPPORTING INFORMATION: The City has nine outdoor community swimming pools, as follows: Allied Gardens, Clairemont, Colina del Sol, Kearny Mesa, Martin Luther King, Jr., Memorial, Morley Field (Kearns), Swanson (Standley) and Vista Terrace. All but one (Vista Terrace) of the nine pools fall within the boundaries of the San Diego Unified School District. This action will renew the agreement with San Diego Unified School District for use of Allied Gardens, Clairemont, Colina del Sol, Kearny Mesa, Martin Luther King, Jr., Memorial and Swanson Pools.

During the past 19 years, to maximize use of the pools, and in the spirit of cooperation and joint use of facilities, the City has entered into cooperative agreements with the District for use of pools. The District uses these pools for instructional and competitive swimming activities, including regularly scheduled interschool and intraschool swimming meets, water polo games, team practice sessions (in which any school in an athletic league with the District may participate), and after-school aquatic club activities for schools under the jurisdiction of the District. In Fiscal 1990, the City generally reduced pool operation to three months during summer (June, July and August). The District generally uses the pools from February through Mid-November. For consideration, the District pays the City the additional hourly or additional monthly operating costs for the period in which the facilities are used. Annual revenues are estimated at approximately \$40,000 or \$5,700 per pool.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-169: (R-91-401) ADOPTED AS RESOLUTION R-276462

19900910

Authorizing the execution of three agreements with I Love a Clean San Diego County, Inc., to continue the Promotional Program, the Recycling Block Leader Program and the Public Education and Information Program through November 30, 1990; authorizing the expenditure of an amount not to exceed \$64,550 from Fund No. 41200, Dept. 751, Account No. 4151, Job Orders 007240, 007421, and 007434 for the above purpose.

CITY MANAGER SUPPORTING INFORMATION: This action is requested to renew three expiring agreements with I Love a Clean San Diego County Inc., to continue current programs through Nov. 30, 1990. This period of time is required to consolidate and revise the agreements into one master agreement that will coincide with the County of San Diego's agreements with the contractor. The interim renewal of the expiring agreements will ensure a continuity of services which will contribute to reaching mandated recycling and source reduction goals.

The three agreements are: 1) I Love a Clean San Diego County Promotional Program will promote year-round environmental awareness, litter reduction and beautification within the San Diego School System, will carry out neighborhood clean-ups and litter control programs. The program cost for the interim period is \$21,000. 2) The Recycling Block Leader Program will provide training and supervision of block leaders for curbside recycling and related technical assistance and community education. The program cost for the interim period is \$20,633. 3) The Public Education and Information Program will provide various community outreach activities designed to educate the public in the need for waste reduction and recycling to reduce landfill requirements and conserve natural resources. The activities will include information and referral services, community presentations, and technical assistance. The program cost for the interim period is \$22,917.

Aud. Cert. 9100196.

FILE LOCATION: MEET CONFY91-3

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-ineligible, Filner-yea, Mayor O'Connor-yea.

\* ITEM-170:

Three actions relative to agreements for drug and alcohol rehabilitation coverage for the CITYMED Health Plan:

Subitem-A: (R-91-128) ADOPTED AS RESOLUTION R-276463

Authorizing the execution of a third amendment to the agreement with Scripps Memorial McDonald Center, to continue providing drug and alcohol rehabilitation services for the CITYMED Health Plan, for a one-year period beginning August 1, 1990 through July 31, 1991, with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$65,000 from Fund No. 60021, Account No. 9544 for the purpose of providing funds for the execution of the above agreement.

Subitem-B: (R-91-139) ADOPTED AS RESOLUTION R-276464

Authorizing the execution of a second amendment to the agreement with Palomar Pomerado Hospital District, dba Pomerado Hospital, Sunrise Center, to continue providing drug and alcohol rehabilitation services for the CITYMED Health Plan, for a one-year period beginning August 1, 1990 through July 31, 1991, with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

Subitem-C: (R-91-140) ADOPTED AS RESOLUTION R-276465

Authorizing the execution of a second amendment to the agreement with Counseling and Recovery Institute to continue providing drug and alcohol rehabilitation services for the CITYMED Health Plan, for one-year period beginning August 1, 1990 through July 31, 1991, with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

CITY MANAGER SUPPORTING INFORMATION: In 1985, the City's

health plan consultant, the Epler Company, assisted Risk Management (at the direction of the City Manager's Office) in selecting four providers of alcohol and drug dependency treatment for the CITYMED Health Plan. In Fiscal Year 1988, unfavorable negotiations with two of the providers resulted in non-renewal of their contracts. Because geographic location is an important factor to the success of treatment, it was decided for Fiscal Year 1989, to again seek several providers in key areas. During June of that year, the Epler Company solicited proposals from 17 institutions and received 14 responses. Ratings and recommendations were based on the following criteria: effectiveness of treatment, flexibility and comprehensiveness of programs, availability of utilization data, reasonable and competitive charges, capacity to service City employees, and geographic location. The three facilities best meeting the above criteria for adult inpatient treatment and providing the lowest costs and adequate geographic distribution were Care Unit, Pomerado Hospital and Scripps Memorial Hospital. One outpatient and one adolescent facility, Counseling and Recovery Institute and Scripps Memorial Hospital, respectively, were also recommended.

For Fiscal Year 1990, it was decided to renew the agreements with Pomerado Hospital, Scripps Memorial Hospital and Counseling and Recovery Institute. It was decided not to renew the agreement with the Care Unit (based upon several factors) and replace it with Alvarado Parkway Institute. During the 1988 selection process, Alvarado was rated second (based on price) for that geographic area. For Fiscal Year 1991, it was decided to renew the agreements with three of the four providers. All three are requesting an increase in the cost of contracted services. We were unable to reach an agreement with the fourth provider, Alvarado Parkway Institute, who has been deleted from our selection of providers.

Aud. Cert. 9100083.

FILE LOCATION: Subitems-A,B,C: MEET CONFY91-3

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-171: (R-91-227) ADOPTED AS RESOLUTION R-276466

Authorizing the execution of a Master Policy Statement for the Dental/Medical/Vision Reimbursement Plan, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the policy.

CITY MANAGER SUPPORTING INFORMATION: The Master Policy Statement has been amended to reflect changes to Internal Revenue Code Section 125 regulations relating to health flexible spending (reimbursement) accounts. The regulation changes were issued March 1989 and applied to plan years beginning after December 31, 1989. Effective July 1, 1990, the maximum amount of reimbursement requested by an employee must be available at all times during the plan year. Thus the maximum amount of reimbursement cannot relate to the amount accrued to that period of time. Reimbursements will be paid monthly or when the total amount of the claims submitted reaches \$30. In addition to these changes, other health insurance premiums are no longer reimbursable under a health flexible spending account. The following sections have been amended to incorporate the changes addressed above:

Part VI, A.1.b.

Part IV, B.1.b.

Part VI, B.2.b.

Part VI, B.3.b.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-172: (R-91-226) ADOPTED AS RESOLUTION R-276467

Authorizing the execution of a Master Policy Statement for Dependent Care Reimbursement Plan, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this policy.

CITY MANAGER SUPPORTING INFORMATION: The Master Policy Statement has been amended to reflect the change in payment



dates and evidence of payment requirements. The acceleration of the payment dates is a result of the automation of the claims reimbursement system. The evidence of payment change was mandated by the Internal Revenue Service. The changes are addressed in the following sections:

Part V, A.1.b. - Reimbursements are accelerated to December and July.

Part V, A.1.g. - The City will provide evidence via W-2 forms to the Internal Revenue Service that payments made under this Plan are reimbursement of dependent care expenses.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-173: (R-91-228) ADOPTED AS RESOLUTION R-276468

Authorizing the execution of a Master Policy Statement for the Cash Reimbursement Plan, together with any necessary

modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this policy.

CITY MANAGER SUPPORTING INFORMATION: The Master Policy Statement has been amended to reflect the current method of tax withholding for the cash reimbursement payments. Thus, the definition of "Taxable Benefit" means the designated dollar allotment is subject to tax withholding of 20 percent Federal, 3 percent for State, and 1.45 percent Medicare for employees hired after April 1, 1986.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-174: (R-91-345) ADOPTED AS RESOLUTION R-276469

Authorizing the execution of an amended Master Policy Statement for the CITYMED Health Plan and authorizing a premium rate increase for employees and their dependents.

CITY MANAGER SUPPORTING INFORMATION: A review of the integrity and stability of the CITYMED Health Plan was conducted by the actuarial firm of A. Foster Higgins in March, 1990.

Based on their recommendation and discussions with the labor groups the following premium rate structure was established:

Monthly Premiums	\$250	\$1,000	\$2,500	
Deductible	Deductible	Deductible	Deductible	Retirees
Employee				
(City paid)	\$106.90	\$ 65.32	\$ 57.00	\$229.00
Retiree				
(Medicare)			\$ 80.00	
1 Dependent	\$124.00	\$ 75.76	\$ 66.08	\$233.42
(Employee paid)				
1 Dependent			\$ 85.50	
(Medicare)				

2+ Dependents \$248.00 \$151.50 \$132.24 \$350.25

Premium increases were based on current actuarial assumptions, experience, and indicated plan modifications implemented to remain a competitive and viable health plan. The policy statement has been amended to reflect the aforementioned plan design changes.

Aud. Cert. 9100153.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C585-656.)

MOTION BY WOLFSHEIMER TO ADOPT AND TO REFER THE SUBJECT OF ADMINISTERING THE CITY'S HEALTH PLAN TO THE RULES COMMITTEE FOR DISCUSSION. IN ADDITION, STAFF IS REQUESTED TO LOOK AT WHETHER WE HAVE AN IN-HOUSE ADMINISTRATOR TO HANDLE THIS; WHETHER ONE PERSON OR TWO PERSONS ARE NEEDED. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-175: (R-91-231) ADOPTED AS RESOLUTION R-276470

Approving Change Order No. 2, dated April 2, 1990, issued

in connection with the contract with Peter C. David Company for the construction of Wabash Trunk Sewer, amounting to a net increase in the contract price of \$16,644.35.

(Park North-East Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Peter C. David Company, contractor for the Wabash Trunk Sewer (CIP-46-146), completed the installation of nearly 1.0 mile of new 24- to -30-inch diameter pipe along the Route 15 corridor between I-805 and Route 94 in the Park North-East community area in February, 1990. Although most of the installation proceeded according to plan, there were some final bid quantity adjustments and several unforeseen problems and delays typically associated with this type of work. Peter C. David Company is asking for additional compensation, through Change Order No. 2, for the extra work. Change Order No. 2, with 24 separate cost items, consists of \$33,965 in cost savings for bid quantity adjustments but \$50,609.35 of additional costs for the unforeseen problems and delays. Most of the additional cost (\$29,641.20) was associated with relocating a conflicting 12-inch-diameter water main that was found to be much deeper than indicated by record information. The remaining additional costs are for the removal and protection of existing surface and underground facilities impacted by the new installation. Change Order No. 1, approved by the City Manager on June 29, 1989, provided two additional manholes, concrete protection for an existing sewer main, and compensation for extra work to remove a buried abandoned manhole, all for a total additional cost of \$18,592.46.

Aud. Cert. 9100089.

WU-U-90-160.

FILE LOCATION: CONT - Peter C. David Company  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-176: (R-91-286) ADOPTED AS RESOLUTION R-276471  
Approving Change Order No. 2, dated May 2, 1990, issued in connection with the contract with R. E. Hazard Contracting Co. for the improvements of Camino Santa Fe Bridge, which

is part of the Calle Cristobal and Camino Santa Fe Assessment District, amounting to a net increase in the contract price of \$149,935.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 23, 1989, R. E. Hazard Contracting Co., was awarded the construction contract for the Improvements of Camino Santa Fe which is part of the Calle Cristobal/Camino Santa Fe Assessment District identified as CIP-52-390.0. Change Order No. 2 consists of several items resulting in a net increase contract Change Order totalling \$149,935 and a 25-day time extension. The Calle Cristobal/Camino Santa Fe Assessment District is contributing the total amount of the Change Order.

The major items of significant cost, which increased the contract, were as follows: 1) The contract documents stipulate that the limits of alluvial removal were to be determined by field observation by the Soils Engineer. This alluvial removal totalled 88,392 cubic yards; 2) The grading operations were not completed prior to the Coastal Commission restricted grading period of November 15, 1989 to March 31, 1990; as a result, temporary erosion control measures consisting of the construction of 735 lineal feet of temporary brow ditch and placement of temporary sandbags were required by the Coastal Commission to protect the environmentally sensitive Lopez Creek area during the restricted period.

Aud. Cert. 9100122.

FILE LOCATION: STRT D-2258 CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-177: (R-91-277) ADOPTED AS RESOLUTION R-276472

Approving Change Order No. 8, dated June 4, 1990, issued in connection with the contract with R. E. Hazard Contracting Co. for the improvement of Beyer Boulevard between Faivre Street and Iris Avenue, amounting to a net increase in the contract price of \$52,439.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 5, 1989, a

contract was awarded to R. E. Hazard Contracting Company for the improvement of Beyer Boulevard between Faivre Street and Iris Avenue. The project consists of widening the existing two-lane street to a four-lane major street and curbs, gutter, sidewalks and bicycle lanes, along with the replacement of the existing deteriorating wooden bridge. It was discovered that the existing loop detectors would not be centered in the traffic lanes on Beyer Boulevard once the new traffic striping for the job was in place.

Change Order No. 8 will authorize the contractor to perform the signal modification work at the intersection of Palm Avenue/Beyer Boulevard, Coronado Avenue/Beyer Boulevard, and Del Sol Boulevard/Beyer Boulevard, according to Plates A, B, and C of this change order and in accordance with Section 10-4, "Signals and Lighting" of the Special Provisions. The amount of \$52,439 shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals and for doing all of the work involved in modifying the traffic signals per Plates A, B, and C complete and in place, including traffic control and flagging.  
Aud. Cert. 9100112.

FILE LOCATION: CONT - R. E. Hazard Contracting Co.  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)  
CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-178: (R-91-368) ADOPTED AS RESOLUTION R-276473

Approving Change Order No. 1, dated May 17, 1990, issued in connection with the contract with Commercial Contractors, Inc., for the construction and improvement of Valencia Parkway between Skyline Drive and Imperial Avenue, amounting to a net increase in the contract price of \$60,529.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Construction of Valencia Parkway consists of a four-lane major street from Skyline Drive on the south to Imperial Avenue on the north. Improvements also include traffic signals and safety lighting systems at the intersections with Skyline Drive and Imperial Avenue, and a

Class II bikeway.

During construction, the soils engineering consultant, Robert Prater and Associates, recommended the removal and recompaction of alluvial/colluvial soil encountered beyond the limits shown on the plans. The original estimate of 7,000 cubic yards of "unsuitable material" was based on a field investigation performed using accepted engineering practices. An additional 17,294 cubic yards, however, had to be removed in order to construct the roadway.

Aud. Cert. 9100175.

NOTE: See Item 140 for a companion item.

FILE LOCATION: CONT - Commercial Contractors, Inc.  
CONTFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-179: (R-91-264) ADOPTED AS RESOLUTION R-276474

Endorsing the position of the San Ysidro community and the San Ysidro Chamber of Commerce in opposing the changing of the name and zip code of the San Ysidro Post Office; informing all departments that the name "San Ysidro, California 92073" is to be used on all official City correspondence to that area.

(District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-180: (R-91-373) ADOPTED AS RESOLUTION R-276475

Authorizing the City Attorney to seek outside legal counsel and execute an agreement for outside legal services in regard to real estate transactions for City Employees

Retirement System portfolio; authorizing the expenditure of a sum not to exceed \$40,000 for such outside legal services from Department No. 60011, Organization No. 100, Object Account No. 4151, Job Order 000088.  
Aud. Cert. 9100150.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-181: (R-91-211) ADOPTED AS RESOLUTION R-276476

Endorsing the designation of the SANDAG Board of Directors as the Congestion Management Program Agency for the San Diego region.

CITY MANAGER SUPPORTING INFORMATION: On June 5, 1990, the state voters approved Propositions 108, 111, and 116. Voter approval of Proposition 111 requires the preparation and

implementation of a Congestion Management Program (CMP) in all urbanized counties (see City Manager Report CMR-90-298). The purpose of the CMP is to insure that a balanced transportation system is developed that relates population and traffic growth to transportation level of service standards. On June 23, 1990, the San Diego Association of Governments (SANDAG) Board of Directors resolved to support the designation of the SANDAG Board of Directors as the CMP Agency for the San Diego region (Resolution No. 90-65). It was also resolved that the Board of Directors request that each local jurisdiction adopt resolutions endorsing the SANDAG Board of Directors as the CMP Agency. SANDAG has requested that the City, by means of a resolution, endorse the designation of the SANDAG Board of Directors as the CMP Agency for the San Diego region. This resolution authorizes the City Attorney to prepare a resolution to endorse the designation of the SANDAG Board of Directors as the CMP Agency for the San Diego region.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed

by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-190: (R-91-99) ADOPTED AS RESOLUTION R-276477

Requesting the San Diego Unified Port District to conduct a study to determine the feasibility of relocating air cargo activity from Lindbergh Field to Brown Field Airport.  
(See City Manager Report CMR-90-265. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 6/13/90.

Recommendation to request the Board of Port Commissioners to initiate a study to determine the feasibility of relocating air cargo operations from Lindbergh Field to Brown Field. Districts 3, 7 and 8 voted yea. Districts 1 and 6 not present.

CITY MANAGER SUPPORTING INFORMATION: The Public Facilities and Recreation Committee on June 13, 1990 accepted City Manager's Report CMR-90-265 describing previous actions taken by City Council regarding air cargo operations at Brown

Field. The Committee recommended that a study be conducted to determine the feasibility of relocating air cargo activity from Lindbergh Field to Brown Field. Following the Manager's recommendation, the Committee decided this study should be separate from the general aviation master plan study and should be initiated by the San Diego Unified Port District. The Port could possibly benefit from relocating the air cargo activity if such a move would result in an increase in space available for passenger facilities at Lindbergh. The recommendation of the Public Facilities and Recreation Committee is that the City Council request the Board of Port Commissioners to authorize/direct a study to determine the feasibility of relocating air cargo activity from Lindbergh Field to Brown Field. It is suggested that the following tasks be included in the study:

1. Determine cargo facility requirements.
2. Determine airport requirements (runway length and strength).
3. Develop airside and landside alternatives.
4. Update airport layout plan.
5. Update terminal area plan for cargo facilities.



6. Revise Financial plan.
7. Provide environmental documentation as necessary and include noise contour maps.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D195-324.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-91-39) NOTED AND FILED

(Trailed as Unfinished Business from the meeting of August 7, 1990, Item S430, due to lack of 5 votes.)  
Introduction and adoption of an Ordinance placing the  
Planned Growth, Water, Traffic and Environmental Protection  
Initiative on the November, 1990 Ballot.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D040-174.)

MOTION BY PRATT TO NOTE AND FILE THE ITEM, HOWEVER, STAFF IS TO BRING THE ISSUE BACK TO COUNCIL AS A COMPANION ITEM AT A LATER DATE. Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-91-46) FIRST HEARING HELD

First public hearing in the matter of:  
Amending Ordinance No. O-17504 (New Series), as amended,  
entitled "An Ordinance Adopting the Annual Budget for the  
Fiscal Year 1990-91 and Appropriating the Necessary Money  
to Operate the City of San Diego for said Fiscal Year" by  
amending Document No. OO-17504-1, as amended and adopted  
therein, by amending the personnel authorization of the  
Fire Department (120) to delete one Battalion Chief  
position and add in lieu one Assistant to the Fire Chief  
(Personnel Manager) position; exempting the Assistant to  
the Fire Chief from the Classified Service; and  
establishing a salary rate.

(See memorandum from the Personnel Director dated 8/6/90.)

**CITY MANAGER SUPPORTING INFORMATION:** On August 2, 1990, the Civil Service Commission reviewed the request from the Fire Department to develop a Personnel Manager position and determined that the position meets the criteria of the Charter and supports exemption from the Classified Service. This Fire Battalion Chief position has been reclassified to Assistant to the Fire Chief. The Personnel Manager will have significant responsibilities for formulating and administering Fire Department personnel policies and procedures. In addition to the responsibilities for managing the day to day activities of the Personnel Division, the Personnel Manager will supervise the Equal Employment Opportunity functions within the Department and administer the Worker's Compensation program within the Department. This position will report directly to the Assistant Fire Chief. Internal discipline has a tremendous effect on morale and directly affects the quality of service provided to the community. The Fire Department's goal is to eliminate any confusion arising out of disciplinary procedures and to apply them in a consistent and uniform manner. This is a sensitive and crucial area of Fire Department management and it is necessary that policies are administered in conformity with the

attitude that discipline is intended to build an organization. A personnel manager with extensive training and experience in the field of human resource management and sound management skills can have great influence in achieving this goal. The Fire Department has experienced a recruitment and retention problem in staffing this Personnel Officer position. In the past four years there have been four different Personnel Officers. This lack of stability and continuity is disruptive and potentially risky, especially when dealing with sensitive issues.

**NOTE:** Today's action is the first public hearing. See Item 337 on the docket of Tuesday, September 11, 1990 for the introduction and adoption of the Ordinance.

**FILE LOCATION:**     - -

**COUNCIL ACTION:**   (Tape location: C110-133.)

**CONSENT MOTION BY PRATT TO APPROVE THE FIRST HEARING.** Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (O-91-31) INTRODUCED AND ADOPTED AS ORDINANCE O-17523  
(New Series)

(Continued from the meeting of August 7, 1990, Item 336, at the City Manager's request.)

Introduction and adoption of an Ordinance amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending Documents No. 00-17504-1, as amended and adopted therein, by amending the personnel authorization of the Purchasing Department (057), by exempting one (1) Equal Opportunity Contracting Manager position from the Classified Service, pursuant to Section 117(a)17 of the San Diego City Charter, after review and consideration of the favorable comment by the Civil Service Commission; establishing salary rates.

NOTE: The first public hearing of this Ordinance was held on Monday, August 7, 1990, Item 209. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203:

Two actions relative to Construction of the Expansion of the Existing Energy Management Control System (EMCS):  
(District-8.)

Subitem-A: (R-91-60) ADOPTED AS RESOLUTION R-276478

Adoption of a Resolution inviting bids for the Construction of the Expansion of the Existing Energy Management Control System (EMCS) on Work Order No. 119560; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager to finance and refinance this project with tax exempt securities, if circumstances

warrant; authorizing the Auditor and Comptroller to transfer \$103,821 from Capital Outlay Other Fund No. 302453, (\$62,500 from CIP-37-001.1, Annual Allocation - Minor Public Works Requirements, and \$41,321 from CIP-37-003.0, Annual Allocation - Facility Requirements), to CIP-37-232.0; authorizing the expenditure of not to exceed \$103,821 from CIP-37-232.0, and \$35,000 from Account No. 4213 for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K1704/91)

Subitem-B: (O-91-41) FIRST HEARING HELD

First public hearing in the matter of:  
Amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to operate the City for said Fiscal Year," by modifying the Budget to add CIP-37-232.0, Expansion of the Existing Energy Management Control System.

NOTE: See Item 338 on the docket of Tuesday, September 11, 1990, for the introduction and adoption of the Ordinance.

CITY MANAGER SUPPORTING INFORMATION: In 1987 an Energy Management Control System was purchased and installed at the Community Concourse Central Plant. The current system controls only the heating, ventilating and air conditioning system. We propose to expand the system to take full advantage of its capabilities. The addition of one stand-alone controller and two remote control units will allow for management of the heating, ventilating and air conditioning and lighting systems in the City Administration Building (CAB) and the City Operations Building (COB). This project will help reduce maintenance and energy costs at the Community Concourse. Simple payback based on energy costs savings alone is calculated to be eighteen months.  
Aud. Cert. 9100027.

FILE LOCATION: Subitem-A: W.O. 119560; Subitem-B: - -

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT THE RESOLUTION AND TO APPROVE THE FIRST HEARING. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-90-2074) ADOPTED AS RESOLUTION R-276479

19900910

(Continued from the meeting of July 16, 1990, Item 105, at Councilmember Wolfsheimer's request, for staff to look for a more attractive alternative to the proposed cement median.)

Inviting bids for the Construction of Ardath Road Median Barrier - 0.22 Miles west of La Jolla Scenic Drive to Interstate 5, on Work Order No. 119265; authorizing the execution of a contract with the lowest responsible bidder; authorizing the Auditor and Comptroller to transfer \$100,000 from Proposition "A" Fund No. 30300, CIP-58-004, Miscellaneous Requirements - City Streets, to CIP-62-288.0, Ardath Road Median Barrier; authorizing the expenditure of funds not to exceed \$600,000 from Proposition "A", Fund

30244, CIP-62-288.0, Ardath Road Median Barrier, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1627/90)

(La Jolla Shores Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the construction of a concrete center median barrier on Ardath Road from 0.22 mile west of La Jolla Scenic Drive to Interstate 5. The barrier will enhance traffic safety on this heavily traveled, high-speed street. The project is consistent with the La Jolla Shores Community Plan and the City's general plan guidelines.

Aud. Cert. 9001048.

FILE LOCATION: W.O. 119265 CONT - ABC Construction Co., Inc.  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-98) ADOPTED AS RESOLUTION R-276480

(Continued from the meeting of August 6, 1990 taken on August 7, 1990, Item S410, at the City Manager's request, for further review.)

Authorizing the City Manager to follow the procedures for hiring construction managers in connection with the upgrade and expansion of the Metropolitan Sewerage System.  
(See City Manager Report CMR-90-320.)

COMMITTEE ACTION: Initiated by PSS on 7/18/90. Recommendation to approve the City Manager's recommendation. Districts 3, 4, 5 and 7 voted yea. District 2 not present.  
WU-CWP-90-177.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D328-375.)

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-206: (R-91-210) ADOPTED AS RESOLUTION R-276481

(Continued from the meeting of August 7, 1990, Item 206, at Councilmember Filner's request, for further review.)

Approving and adopting the Fiscal Year 1991 Budget for the San Diego Convention Center Corporation; authorizing the expenditure of funds by the Corporation in Fiscal Year 1991, not to exceed the amount budgeted and approved by Council.

(See San Diego Convention Center Report dated 7/24/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D376-461.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

ITEM-207: (R-91-165) ADOPTED AS RESOLUTION R-276482

(Continued from the meeting of August 6, 1990, Item 113, at Councilmember Wolfsheimer's request, to allow her to be

present.)

Authorizing the execution of an amendment to Subdivision Improvement Agreement for Ridgeway La Jolla Unit No. 1, to provide for the substitution of Ridgeway Development Company for Avco Community Developers, as subdivider; declaring that the public improvements to be constructed shall be completed by February 1, 1991, as provided by the Integrated Master Settlement Agreement with Avco Community Developers, Inc.; accepting Performance Bond No. 5369, issued by Pacific States Casualty Company in the amount of

\$750,000, as the surety for the required improvements; issued by Industrial Indemnity Company in the amount of \$2,098,729.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 22, 1980, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Ridgeway La Jolla Unit No. 1. Several time extensions have subsequently been granted. The latest was approved by the City Council on April 24, 1987, which extended the time until January 1, 1988. On May 30, 1989, a settlement agreement was entered into between Avco Community Developers, Inc. and the City of San Diego, which among other things, granted an extension of time for completion of public improvements for Ridgeway La Jolla Unit No. 1 until February 15, 1991, and reduced the outstanding bond amount to \$750,000. The property is now owned by Ridgeway Development Company. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond in the amount of \$750,000.

FILE LOCATION: SUBD - Ridgeway La Jolla Unit No. 1  
CONTFY91-1

COUNCIL ACTION: (Tape location: D462-470.)

MOTION BY WOLFSHEIMER TO ADOPT ITEM-207 AND -208. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-208: (R-91-166) ADOPTED AS RESOLUTION R-276483

(Continued from the meeting of August 6, 1990, Item 114, at

Councilmember Wolfsheimer's request, to allow her to be present.)

Authorizing the execution of an amendment to Subdivision Improvement Agreement for Ridgeway La Jolla Unit No. 2, to provide for the substitution of Ridgeway Development Company for Avco Community Developers, as subdivider; declaring that the public improvements to be constructed shall be completed by February 1, 1991; accepting Performance Bond No. 5368, issued by Pacific States

Casualty Company in the amount of \$500,000, as the surety for the required improvements; releasing Performance Bond No. YS 852-2672, issued by Industrial Indemnity Company in the amount of \$718,432.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 7, 1983, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Ridgeway La Jolla Unit No. 2. The agreement expired November 7, 1985. On December 8, 1986, a time extension was granted by Resolution R-267173 to June 1, 1988. On May 30, 1989, a settlement agreement was entered into between Avco Community Developers, Inc., and the City of San Diego, which, among other things, granted an extension of time for completion of public improvements for Ridgeway La Jolla Unit No. 2 until February 15, 1991, and reduced the outstanding bond amount to \$500,000. The property is now owned by Ridgeway Development Company. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond in the amount of \$500,000.

FILE LOCATION: SUBD - Ridgeway La Jolla Unit No. 2  
CONFY91-1

COUNCIL ACTION: (Tape location: D462-470.)

MOTION BY WOLFSHEIMER TO ADOPT ITEM-207 AND -208. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-209: (R-91-407) ADOPTED AS RESOLUTION R-276484

Confirming the reappointments by the Mayor of Margaret L.



Smith (Accountant), John E. Vernon (Soils/Hydraulic Engineer), Gretchen G. Colachis (Real Estate Broker), and Milton C. Judson (Farmer-Dairy Grazing Interests), to serve as members of the Agricultural Board for terms expiring January 1, 1993.

(See memorandum from Mayor O'Connor dated 8/27/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B539-C086.)

Motion by Wolfsheimer to continue for two weeks so that the City Council can recommend appointments. Second by Filner. Failed.

Yeas-1,3,8. Nays-2,4,5,6,7,M. Not Present-None.

MOTION BY ROBERTS TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (R-91-408) ADOPTED AS RESOLUTION R-276485

Confirming the reappointments by the Mayor of Milton Burgess, Edward J. Tyler, Gene Hussey, Anthony Court, and Janice Fahey, to serve as members of the Board of Appeals and Advisors (Building) for terms expiring March 1, 1992.

(See memorandum from Mayor O'Connor dated 8/27/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: (R-91-409) ADOPTED AS RESOLUTION R-276486

Confirming the reappointments by the Mayor to serve as members of the Historical Site Board, for terms expiring as follows:

(See memorandum from Mayor O'Connor dated 8/27/90.)

TERM EXPIRES

Harry W. Evans	March 1, 1992
Marco G. Thorne	March 1, 1992

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: (R-91-404) ADOPTED AS RESOLUTION R-276487

Council confirmation of the following reappointments by the Mayor to serve as members of the Select Board on Binational Issues, for terms expiring July 1, 1992:

(See memorandum from Mayor O'Connor dated 8/27/90.)

A.C. Araiza, Jr.

Amalia Meza

Paul Dobson

Appointing Susan Taylor as Chair of the Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-213: (R-91-405) ADOPTED AS RESOLUTION R-276488

Council confirmation of the following reappointments by the Mayor to serve as members of the Small Business Advisory Board for terms expiring July 1, 1992:

(See memorandum from Mayor O'Connor date 8/27/90.)

Brian Pollard (Member-at-Large)

Carolyn J. Witt (Member-at-Large)

Nghiep C. Le (Member-at-Large)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-214: CONTINUED TO OCTOBER 1, 1990

(Continued from the meeting of July 23, 1990, taken on July 24, 1990, Item 204, for full Council; continued from the meeting of July 31, 1990, Item S503, at Jack McGrory's request, to discuss the issue with the citizen coalition.)

In the matter of a report concerning the economic impact of the City-wide Impact Fees.

(See Coopers and Lybrand report dated 7/16/90.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A133-416.)

MOTION BY PRATT TO CONTINUE ITEMS 214, 215, 216, AND 217 TO OCTOBER 1, 1990, AFTER HEARING BY THE PLANNING COMMISSION ON SEPTEMBER 27, 1990. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

ITEM-215: CONTINUED TO OCTOBER 1, 1990

(Continued from the meetings of March 20, 1990, Item 337, April 5, 1990, Item 602, April 23, 1990, Item 208, July 23, 1990, taken on July 24, 1990, Item 205, July 31, 1990, Item S504, last continued at Jack McGrory's request to discuss the issue with the citizen coalition.)

Three actions relative to Citywide Impact Fees:

(See City Manager Reports CMR-90-330, CMR-90-190, CMR-90-189, CMR-90-158 and CMR-90-128.)

Subitem-A: (O-90-95)

Introduction of an Ordinance amending Chapter VI, Article 1, of the San Diego Municipal Code by adding Division 25, Sections 61.2501, 61.2502, 61.2503, 61.2504, 61.2505, 61.2506, 61.2507, 61.2508, 61.2509 and 61.2510 relating to Impact Fees.

Subitem-B: (R-90-1422)

Adoption of a Resolution to impose Citywide Impact Fees.

Subitem-C: (R-90-1423)

Adoption of a Resolution rescinding Development Impact Fees for branch libraries and fire facilities as currently charged in the urbanized areas and replacing them with one standard impact fee for libraries and one for fire

facilities in all urbanized communities.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: A133-416.)

MOTION BY PRATT TO CONTINUE ITEMS 214, 215, 216, AND 217 TO OCTOBER 1, 1990, AFTER HEARING BY THE PLANNING COMMISSION ON SEPTEMBER 27, 1990. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

ITEM-216: CONTINUED TO OCTOBER 1, 1990

(Trailed from the meeting of July 10, 1990, Item 332, due to lack of time; continued from the meetings of July 17, 1990, Item S500, July 24, 1990, Item S502, and July 31, 1990, Item S505; last continued at the request of Matt Peterson, due to the continuance of related items.)

Two actions relative to Emergency Transportation Congestion Management and Phasing Ordinance for 1990 and Emergency Capital Facilities Planning Ordinance for 1990:

Subitem-A:    (O-90-213)

Introduction and adoption of an Emergency Ordinance relating to land development; providing for the timing and sequencing of land development in accordance with the capacity of transportation facilities to serve new development; providing definitions; providing for

development review; providing criteria for development phasing limits based upon preferred levels of service standards for specified transportations facilities; providing for exemptions; providing criteria for relief from phasing requirements; providing for the interpretation and administration of the development phasing system; providing for applicability; providing for the effect of this ordinance on other ordinances and regulations; providing for severability; and providing for an effective date.

NOTE: Six votes required.

Subitem-B:    (O-90-214)

Introduction and adoption of an Emergency Ordinance establishing a Capital Facilities Plan for the City of San Diego; providing standards and criteria for the inclusion

of public facilities in the Capital Facilities Plan;  
providing guidelines for the preparation of the Capital  
Facilities Plan; relating the Capital Facilities Plan to  
other regulatory programs and providing an effective date.  
NOTE: Six votes required.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: A133-416.)

MOTION BY PRATT TO CONTINUE ITEMS 214, 215, 216, AND 217 TO  
OCTOBER 1, 1990, AFTER HEARING BY THE PLANNING COMMISSION ON  
SEPTEMBER 27, 1990. Second by Filner. Passed by the following  
vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea,  
Bernhardt-nay, Henderson-yea, McCarty-nay, Filner-yea, Mayor  
O'Connor-nay.

ITEM-217:    CONTINUED TO OCTOBER 1, 1990

Six actions relative to a proposed Growth Management  
Program for the City of San Diego:

Subitem-A:    (R-91-    )

Adoption of amendments to the "Guidelines for Future  
Development" section of the Progress Guide and General Plan  
which identifies policies on growth, transportation,  
environmental protection, neighborhood protection, public  
facilities and services, and economic growth.

Subitem-B:    (O-91-    )

Introduction of the Transportation Congestion Management  
and Development Phasing Ordinance; providing for the timing  
and sequencing of land development in accordance with the  
capacity of transportation to serve new development;  
providing for development review; providing for criteria  
for development phasing limits based upon preferred level  
of service standards for specified transportation  
facilities; providing for exemptions; providing criteria  
for relief from phasing requirements; providing for the  
interpretation and administration of the development  
phasing system; providing for the effect of this Ordinance  
on other Ordinances and regulations.

Subitem-C:    (O-91-    )

Introduction of an Ordinance establishing a Capital  
Facilities Plan for the City of San Diego; providing

standards and criteria for the inclusion of public facilities in the Capital Facilities Plan; providing guidelines for the preparation of the Capital Facilities Plan; relating the Capital Facilities Plan to other regulatory programs.

Subitem-D: (R-91- )

Adoption of a Council Policy entitled "City Wide Phasing Limit."

Subitem-E: (O-91- )

First public hearing in the matter of amending Ordinance O-17504 (New Series) as amended, entitled, "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending the personnel authorization of the Planning Department, Engineering and Development Department, and Financial Management Department for costs involved in implementing the Growth Management Program.

Subitem-F: (R-91- )

Certifying that the information contained in Environmental Impact Report EIR-90-0526, dated July 25, 1990, in connection with the Growth Management Program, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said report has been reviewed and considered by the Council.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A133-416.)

MOTION BY PRATT TO CONTINUE ITEMS 214, 215, 216, AND 217 TO OCTOBER 1, 1990, AFTER HEARING BY THE PLANNING COMMISSION ON SEPTEMBER 27, 1990. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

ITEM-218:

(Trailed as Unfinished Business from the meeting of July 3, 1990, Item 333; Continued from the meetings of July 9, 1990, Item S404, and July 23, 1990, Item 207; last continued at Councilmember Bernhardt's request, to go back

out to Scripps Ranch Planning Board for their comments at their August 7, 1990 Board meeting.)

Three actions relative to the Scripps Miramar Ranch

Facilities Benefit Assessment:

(See City Manager Report CMR-90-219. Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-90-1909) ADOPTED AS RESOLUTION R-276489

Designating an area of benefit in Scripps Miramar Ranch and the boundaries; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and ordering the Proposed Public Facilities Project in the matter of the Scripps Miramar Ranch Facilities Benefit Assessment Area.

Subitem-B: (R-90-1910) ADOPTED AS AMENDED AS RESOLUTION R-276490

Declaring the assessment fee schedule contained in the Scripps Miramar Ranch Public Facilities Financing Plan, approved in Resolution R-275816, to be an appropriate and applicable development impact fee for all properties located within the Greater Scripps Miramar Ranch Community Planning Area that have either never been assessed under the Scripps Miramar Ranch Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

Subitem-C: (O-90-112) INTRODUCED, TO BE ADOPTED SEPTEMBER 24, 1990

Introduction of an Ordinance amending Chapter X, Article 2, of the San Diego Municipal Code by amending Section 102.0406.0611 relating to the Scripps Miramar Ranch Community Planning Area.

FILE LOCATION: Subitem-A,B: STRT FB-11; Subitem-C: LAND  
- Scripps Miramar Ranch Community Plan

COUNCIL ACTION: (Tape location: D476-588.)

Hearing began at 4:40 p.m. and halted at 4:46 p.m.

Testimony by Lynn Heidle withdrawing her protest.

Mayor O'Connor closed the hearing.

MOTION BY BERNHARDT TO ADOPT STAFF RECOMMENDATION FOR THE NEW FEES SCHEDULE AND TO ALSO INCLUDE THE COMMUNITY PLANNING GROUP'S RECOMMENDATIONS AS FOLLOWS: (1) DIRECT STAFF TO WORK WITH THE COUNTY WATER AUTHORITY TO ENSURE THAT THE CITY AND CWA COORDINATE PROJECTS ON SCRIPPS RANCH BOULEVARD.

NEGOTIATE FULL OR PARTIAL FUNDING RESPONSIBILITY FOR SCRIPPS RANCH BOULEVARD BY CWA; (2) REQUEST THAT WORK ON SCRIPPS RANCH BOULEVARD BY CWA AND/OR CITY WHICH COULD IMPAIR THE TRAFFIC BE DEFERRED UNTIL AFTER ACCESS ON THE PROPOSED 8A IS POSSIBLE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Sep-10-1990

ITEM-219:

(Continued from the meetings of July 24, 1990, Item 345, and July 30, 1990, Item S409; last continued at Councilmember Hartley's request, for full council.)

19900910

Matters of:

1) Appeals of The City of San Diego Engineering Department and The City of San Diego Water Utilities Department, from the decision of the Planning Commission in denying Sensitive Coastal Resource Permit No. 90-0151 (Sorrento Valley Utility Improvement Phase I) and 89-1421 (Sorrento Valley Road Realignment and Widening Phase II) for Capital Improvement Projects located along the eastern edge of Los Penasquitos Lagoon within the Torrey Pines Community Planning area and the North City Local Coastal Program. SCR Permit No. 90-0151 (Phase I) includes 1) relocation and construction of Pump Station No. 65 and construction of a new force main; 2) abandonment of the existing gravity sewer lines and construction of new sewer lines; and 3) abandonment of



an existing waterline and construction of a new waterline. SCR Permit No. 89-1421 (Phase II) includes 1) the realignment and widening of Sorrento Valley Road. The projects are located west of I-5 and north of the junction of I-5 and I-805. A small portion of the utility improvement SCR Permit No. 90-0151 (Phase I) underlies Carmel Valley Road, the remainder of the utility improvements are within a corridor coincident with or parallel to the proposed Sorrento Valley Road from Carmel Valley Road to the existing Pump Station No. 64. The realignment of Sorrento Valley Road SCR Permit No. 89-1421 (Phase II) begins at the intersection of Carmel Valley Road and terminates at Carmel Mountain Road. The Engineering and Development Department is appealing SCR Permit 89-1421 and the Water Utilities Department is appealing SCR Permit 90-0151.

2) The proposed Sorrento Valley Road realignment and widening also constitutes an amendment to the North City Local Coastal Program (LCP). If adopted by the City the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Subitem-A: (R-91-623) ADOPTED AS RESOLUTION R-276491

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0495 has been reviewed and completed in compliance with the California Environmental Quality Act of 1970 as amended and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-91-624) ADOPTED AS RESOLUTION R-276492  
GRANT APPEAL, GRANT PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying SCR Permit 90-0151, with appropriate findings to support Council action.

Subitem-C: (R-91-629) ADOPTED AS RESOLUTION R-276493  
DENY APPEAL, DENY PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying SCR Permit 89-1421, with appropriate findings to support Council action.

FILE LOCATION: Subitem-A,B: PERM - SCR PERMIT 90-0151;  
Subitem-C: PERM - SCR PERMIT 89-1421

COUNCIL ACTION: (Tape location: D591-F129.)

Hearing began at 4:46 p.m. and halted at 5:36 p.m.

Testimony in opposition by Maury Brownley, Opal Trueblood, Charles Dietz, and Linda Michael.

Mayor O'Connor closed the hearing.

MOTION BY WOLFSHEIMER TO CERTIFY EIR 88-0495 WITH RESPECT TO SCR 90-0151 FOR PHASE I ONLY (THE UTILITIES IMPROVEMENT); APPROVE SCR PERMIT 90-0151 WITH APPROPRIATE FINDINGS BUT ADD THE FOLLOWING CONDITIONS: (A) THE PUMP STATION SITE WILL BE MOVED 300' SOUTH AND THE LENGTH OF THE ACCESS ROUTE WILL BE REDUCED 80'. IN ADDITION THE DISTURBED AREAS OF THE LAGOON ADJACENT TO THE PUMP STATION WILL BE RESTORED AND REVEGETATED; (B) THE ALIGNMENT OF THE TRUNK SEWER WILL LIE WITHIN THE EXISTING SORRENTO VALLEY ROAD FROM THE INTERSECTION OF CARMEL VALLEY ROAD TO THE PROPOSED BRIDGE ON SORRENTO VALLEY ROAD. THE TWO MANHOLES ON THE TRUNK SEWER WILL BE CONSTRUCTED ADJACENT TO THE EAST SIDE OF THE EXISTING SORRENTO VALLEY ROAD; (C) WATER UTILITIES WILL REMOVE, RESTORE, AND REVEGETATE THE OLD CARMEL VALLEY ROAD THAT REMAINS IN THE CARMEL VALLEY AREA; AND (D) ALL ABANDONED MANHOLES WILL BE REMOVED FROM THE LAGOON AND THE AREA WILL BE RESTORED AND REVEGETATED. TO HELP LESSEN THE IMPACT TO THE LAGOON, ALSO INCLUDE THE OTHER MEASURES INDICATED BY STAFF IN THEIR REPORT. DENY THE PERMIT, SCR 89-1421 THAT WOULD BE FOR THE ROAD WIDENING AND DIRECT STAFF TO DEVELOP ONLY A TWO-LANE ROAD AND CORRECT THOSE SUBSTANDARD DESIGN AND POTENTIAL SAFETY PROBLEMS AS DIRECTED BY THE CITY ATTORNEY. ELIMINATE ANY FOUR-LANE PORTION TO KEEP THE SORRENTO VALLEY ROAD AND LAGOON IN A PROTECTED STATE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-220:

(Continued from the meeting of August 7, 1990, Item 332, at Matt Peterson's request, for full Council.)  
Appeals of Joseph N. Beecroft, by Robert Beecroft, and Howard, Bill and Cecilia Fisher, by D. Dwight Worden, Esq., from the decision of the Planning Commission in denying the project, Tentative Map (Beecroft Condominiums), Resource Protection Ordinance Permit and

19900910

North City West Planned District Development Plan Permit 89-1255 (amending NCW-PD-86-0903).

The project proposes an 8 lot subdivision to construct a total of 453 attached multi-family dwelling units contained within 43 two and three story structures (including site landscaping, brush management, recreational facilities and covered parking) where 382 dwelling units were previously approved for this site (NCW-PD-86-0903). The proposed tentative map would divide the vacant 24-acre project site into a total of eight parcels to accommodate the proposed residential uses, open space and necessary public facilities to serve the project. The environmental document will also be reviewed and considered for certification at this meeting.

The site is located on the east side of El Camino Real, between High Bluff Drive and Del Mar Heights Road, in Zone MF-3 and within the Neighborhood 9 Precise Plan area of the North City West Community Plan. The subject property is more particularly described as Parcel 1 of Parcel Map PM-15120 and a portion of Section 19, Township 14 South, Range 3 West, S.B.B.M. (TM, RPZ, NCW-89-1255. District-1.)

Subitem-A: (R-91-770) ADOPTED AS RESOLUTION R-276494

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-1255 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council, and adopting the Mitigation Monitoring and Reporting Program for the project.

Subitem-B: (R-91-771) ADOPTED AS RESOLUTION R-276495

GRANT APPEAL, GRANT MAP

Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

Subitem-C: (R-91-772) ADOPTED AS RESOLUTION R-276496  
GRANT APPEAL, GRANT PERMIT AS  
AMENDED

Adoption of a Resolution granting or denying the appeal and granting or denying the NCW and RPZ permit, with appropriate findings to support Council action.

FILE LOCATION: Subitem-A: PERM - North City West Planned  
District Development Permit NCW PD  
86-0903; Subitem-B: SUBD - Beecroft  
Condominiums; Subitem-C: PERM - NCWPD  
86-0903 & RPZ 89-1255

COUNCIL ACTION: (Tape location: F131-282.)

Hearing began at 5:36 p.m. and halted at 5:48 p.m.

Testimony in favor of the appeal by Paul Peterson and W.  
Scott Williams.

Testimony in opposition to the appeal by Opal Trueblood.

MOTION BY WOLFSHEIMER TO APPROVE THE DEPARTMENT'S  
RECOMMENDATIONS WITH THE ADDITION TO CONDITION 35F TO READ:  
"FUTURE DISTURBANCE OF PARCEL 8 SHOULD BE LIMITED TO 0.5 ACRE  
TO INSURE COMPLIANCE WITH REPO. ANY DISTURBANCE BEYOND THIS  
AMOUNT WOULD REQUIRE AN ENVIRONMENTAL REVIEW PLUS FULL  
MITIGATION OF THE LOSSES OF THE COASTAL . . . ." Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea,  
Henderson-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-not present.

\* ITEM-S400: (R-91-437) ADOPTED AS RESOLUTION R-276497

Proclaiming September 12, 1990 to be "Children's Right  
to Learn Day" in the City of San Diego, honoring the  
true hope and promise of tomorrow -- our children.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401: (R-91-438) ADOPTED AS RESOLUTION R-276498

Congratulating the City Club of San Diego on its  
fifteenth anniversary and its founder, George Mitrovich,  
for outstanding contributions to the San Diego  
community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402: (R-91-313) ADOPTED AS RESOLUTION R-276499

19900910

Inviting bids for the Reroof of the Marston House on  
Work Order No. 119390; authorizing the execution of a  
contract with the lowest responsible bidder; authorizing  
the City Manager, if circumstances warrant, to finance  
or refinance the project with tax exempt securities;  
authorizing the expenditure of an amount not to exceed  
\$80,000 from Fund 30244, CIP-21834.9, for providing  
funds for said project and related costs; authorizing  
the City Auditor and Comptroller, upon advice from the  
administering department, to transfer excess budgeted  
funds, if any, to the appropriate reserves.

(BID-K1780/91)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will  
provide for the restoration of the roof of the Marston House  
in Balboa Park. The present roof is deteriorated and  
requires replacement.

Aud. Cert. 9100146.

FILE LOCATION: W.O. 119390 CONT - Stricker Roofing, Inc.  
CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S403: (R-91-309) ADOPTED AS RESOLUTION R-276500

19900910

Rejecting all bids received on June 27, 1990, pursuant to publication of notice calling for bids on Canyonside Community Park Recreation Center Building and Additional Ballfields; authorizing and directing the Purchasing Agent to proceed to publish in accordance with the Law, notice to contractors calling for bids for the work, in accordance with the plans and specifications referred to, and previously approved by Resolution R-275455, adopted on April 16, 1990; authorizing the City Manager to execute a contract with the lowest responsible bidder for Canyonside Community Park Recreation Center Building and Additional Ballfields in accordance with the plans and specifications. (BID-K1382/90A)

(Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Canyonside Community Park is a 42.89 acre park located on the west side of Black Mountain Road just north of Mercy Road. Proposed additional park improvements include an 18,000 square foot recreation center building, a seven acre lighted multi-sports field, parking lots, concrete walks, landscaping and the related irrigation system. Council approved plans and specifications and authorized the Purchasing Agent to advertise for bids on April 16, 1990. Bids were received on June 27, 1990 and Lusk Construction was the apparent low bidder. Lusk Construction Company failed to demonstrate their good faith effort to comply with the City's MBE-WBE Program goal. Therefore, it is recommended that all bids be rejected and the project be readvertised.

FILE LOCATION: W.O. 119012 CONT - KVAAS Construction Co.,  
Inc. CONFY91-1

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404: (R-91-414) ADOPTED AS RESOLUTION R-276501

A Resolution approved by the City Council in Closed Session on Tuesday, July 31, 1991 by the following vote:  
Wolfsheimer-not present; Roberts-yea; Hartley-yea;  
Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea;  
Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$110,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Anthony Velarde and Alejandro Jimenez (Superior Court Case No. 606080, Velarde v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue two checks in the total amount of \$110,000, one check made payable to Anthony Velarde in the sum of \$85,000 and one check made payable to Alejandro Jimenez in the sum of \$25,000, in full settlement of the lawsuit and of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego by Tony Velarde and Alejandro Jimenez as a result of the incident of July 19, 1988.  
Aud. Cert. 9100198.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C110-133.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (O-91-51) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17524 (New Series)

Introduction and adoption of an Ordinance adopting an emergency ordinance delaying the effective date of Ordinance O-17509, establishing a Transient Transportation Tax, until January 1, 1991.

CITY MANAGER SUPPORTING INFORMATION: Procedural questions have been raised by the rental car industry and the State Board of Equalization concerning the City's new Transient Transportation Tax. Therefore, the City Manager has placed an administrative hold on collection of this tax. City staff is currently working with State Board of Equalization officials to resolve the procedural issues concerning the Transient Transportation Tax. Thus, it is the City Manager's recommendation that an emergency ordinance be immediately adopted which would delay the September 6, 1990 effective date of Ordinance O-17509, establishing a Transient Transportation Tax, until January 1, 1991. The City Charter, Section 17, stipulates that an emergency ordinance may only be enacted to provide for the immediate preservation of public peace, property, health, or safety. Passage of an emergency ordinance requires the affirmative vote of at least two-thirds of the members elected to the Council. This ordinance is recommended as an emergency action in order to insure that the City is not in potential conflict with the State Revenue and Taxation Code. If the City were found to be in conflict with the State statutes, it could jeopardize the City's receipt of \$110+ million per year in sales tax revenues collected by the State. Loss of this revenue would directly impact the City's ability to provide for the preservation of public property.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F305-314.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S406: (R-91-415) CONTINUED TO SEPTEMBER 24, 1990

Appointing a committee to advise the City Council on comprehensive planning matters within the North City Future Urbanizing area, and requesting the committee



formulate recommendations regarding: 1) The Planning issues that need to be addressed; 2) A process for resolving those issues; 3) A method of financing the required work; and 4) A schedule for completion of this effort; requesting the Advisory Committee to submit its recommendations to the City Council's Transportation and Land Use Committee within six months time; declaring that the Advisory Committee shall be comprised of the following members:

City of San Diego

Ralph Pesqueira, Chairperson      Planning Commission

Robert P. Spaulding      Planning Director

Severo Esquivel      City Manager's Office

Academic and Professional Disciplines

Nico Calavita      Planning Academician

Nick DeLorenzo      Landscape Architect

Max Schmidt      Planning Professional

Civic and Environmental Organizations

Diane Barlow Coombs      San Dieguito Joint

Powers Authority

Linda Michael      Sierra Club

Karen Scarborough      Citizens Coordinate  
for Century Three

Property Owners

Lance Burris      Potomac Investment  
Associates San Diego,  
Inc.

David B. Goodell      Del Mar Investment  
Group Inc.

Michael Madigan      Pardee Construction  
Co.

Jerry McCaw      South Coast Land Co.  
(District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 17, 1990 (Item 332) the City Council discussed the need for comprehensive planning for the North City Future Urbanizing area and determined that prior to the initiation of a

comprehensive planning effort, a planning advisory committee representing a balance of community interest should be established to recommend, in preliminary fashion: 1) The planning issues that need to be addressed; 2) A process for resolving those issues; 3) A method of financing the required work; and 4) A schedule for completion of this effort. The Planning Department was directed to recommend the composition

of this advisory committee for Council's consideration on September 10, 1990.

The recommended advisory committee, listed above, includes a balanced cross-section of the principal parties interested in and affected by this matter. The proposed membership includes: 1) Four property owners within the area, two large and two smaller and landholders; 2) Three representatives of interested civic and environmental organization; 3) Three members from relevant academic and professional disciplines; and 4) Three City of San Diego representatives, including the Vice-Chairman of the Planning Commission who is recommended as chairperson of the advisory committee. It is anticipated that the advisory committee will be able to conclude its work and submit its recommendations to the Council's Transportation and Land Use Committee within six months time.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: B120-462.)

MOTION BY WOLFSHEIMER TO CONTINUE TO SEPTEMBER 24, 1990, AND TO DIRECT STAFF TO CONTACT COUNCIL OFFICES FOR SUGGESTIONS FOR INCLUSION OF OTHER PERSONS TO THIS COMMITTEE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-91-421)    CONTINUED TO SEPTEMBER 24, 1990

Council confirmation of the appointment by the Mayor of Frederick H. Thompson, to serve as a member of the San Diego County Water Authority, for a term ending October 27, 1994, to replace Paul A. Peterson, who has resigned. (See memorandum from Mayor O'Connor dated 8/30/90 with resume attached.)

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: D092-188.)

Motion by Henderson to adopt the resolution. Second by McCarty. Failed. Yeas-2,6,7,M. Nays-4,8. Not Present-1,3,5.

MOTION BY HARTLEY TO CONTINUE FOR TWO WEEKS. Second by Roberts. Passed by the following vote: Wolfsheimer-not

present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S408:     RULE 34 WAIVED

In the matter of reconsideration of Council's action on August 7, 1990 in approving Item 330, authorizing the execution of a Freeway Agreement between the City of San Diego and the State of California for the construction of State Route 56 from .8 miles west of Black Mountain Road to .3 miles west of Route 15.

(District-1.)

A. Waiving Rule 34 of the Permanent Rules of the Council to allow reconsideration.

(6 votes required)

B. Granting the reconsideration.

(5 votes required).

C. Setting the matter for future public hearing.

(5 votes required.)

NOTE: On 8/7/90 Council voted 7-0 (Districts 1 and 4 not present) to authorize the agreement.

FILE LOCATION:     MEET

COUNCIL ACTION:    (Tape location: F318-689.)

MOTION BY BERNHARDT TO WAIVE RULE 34 TO ALLOW RECONSIDERATION. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY HENDERSON TO REQUEST CALTRANS WORK WITH SANDAG TO ATTEMPT TO FIND MITIGATION PROPERTY WITHIN THE BOUNDARIES OF THE CITY OF SAN DIEGO SUFFICIENT TO MITIGATE FOR THE BIRDS THAT ARE IMPACTED, LETTING THAT RATIO TO BE DETERMINED BY WORK WITH FISH AND GAME, FISH AND WILDLIFE, CITY, AND CALTRANS BIOLOGISTS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned at 6:18 p.m. by Mayor O'Connor in honor of the memory of Perry Dusty Rhodes and Emily Durbin.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G040-107).